

August 5, 2024
7:00 P.M.

BOARD OF SUPERVISORS
721 Unionville Road
Kennett Square, PA. 19348

1. CALL TO ORDER

Present:

Chair Monahan

Vice-Chair Sosangelis

Supervisor Sarro

Supervisor Elks

Supervisor Auger

Township Staff & Consultants:

Ryan Jennings, Township Solicitor

Neil Lovekin, Township Manager

Mickey Bailey, Recording Secretary

Jeff Simpson, Public Works Director

Robert Clarke, Police Chief

Peter Barsz, Treasurer

2. PLEDGE OF ALLEGIANCE (Participation is Voluntary)

Chairman Monahan opened the meeting by leading the Pledge of Allegiance.

3. ANNOUNCEMENTS

None

4. PUBLIC COMMENTS (For matters not on the agenda)

Ruthie and Carl Kranz of 428 W. Locust Lane addressed their concern over the sewer grinder pump. When the power goes out there is no water and no way to tell how water is left in the grinder pump. She would like the township to look into adding some sort of gauge so the homeowner can see how much water is left in the pump.

Jim Chance added that losing power is the single biggest problem in the grinder pump system. He was reiterating that having a gauge would be beneficial.

5. REVIEW OF TREASURER'S REPORT & POSSIBLE AUTHORIZATION FOR PAYMENT OF MONTHLY BILLS

- a. Township Treasurer, Peter Barsz, BGAF, summarized his financial report by saying that township continues to do well. Cash is down \$709K from 2023. In 2024 there were two major expenditures. The township purchased a new police vehicle and Public Works made a large asphalt purchase. Interest income is currently \$345,330.50. Peter also explained that he is looking into other investment options such as CD's.
- b. Supervisor Sarro asked what Sewer Cert fees were.

- c. Vice Chair Sosangelis moved to approve the financial reports and paid the monthly bills. Supervisor Auger seconded; motion carried 5/0.

6. PUBLIC HEARING: POSSIBLE ORDINANCE ADOPTION
GOVERNING MUNICIPAL MANAGEMENT OF ON-LOT SEWAGE DISPOSAL FACILITIES

- a. The proposed ordinance adoption was advertised in the July 22, 2024, edition of the *Daily Local News* as required, as well as posted on the Township Building and on the township website. The Ordinance was available at the Township Building and on the township website for public inspection, as advertised.
- b. Solicitor Jennings explained that this ordinance governs management of the Sewage System for the township working with HRG. This ordinance is needed for Act 537 approval. For township septic users the Chester County Health Department has a system in place.

7. ORDINANCE NO. 02-2024: GOVERNING MUNICIPAL MANAGEMENT OF ON-LOT SEWAGE DISPOSAL FACILITIES

Discussion and possible adoption of the Ordinance, as advertised and made available for public inspection.

Vice Chair Sosangelis moved to approve Ordinance No. 02-2024. Supervisor Sarro seconded. Carried 5/0.

8. TRI-M GROUP: VOLUNTARY RELEASE & TERMINATION OF DEVELOPMENT APPROVALS

- a. Discussion and possible approval of three (3) original of a Voluntary Release and Termination of Financial Security and Development Agreements, Stormwater Management Agreement and Land Development Plan Approval for execution by East Marlborough Township, all of which have been signed by the Developer, Lyn Hughes Limited, by Lyn Hughes, LLC, its general partner.
- b. Township Solicitor Jennings explained that the developer now seeks to withdraw land development approval. They have decided not to proceed with development of warehouse expansion.
- c. Vice Chair Sosangelis moved to approve the Release and Development Termination, Supervisor Sarro seconded, carried 5/0.

9. RIEPE CENTER FOR ADVANCED VETERINARY EDUCATION – UPENN NEW BOLTON CTR LAND DEVELOPMENT PLAN

- a. Discussion and possible approval of the revised land development plan, pursuant to the Land Development Ordinance and subject to any waiver relief and conditions in which the Applicant proposes to construct an 11,835 sf, one story classroom building and associated parking and stormwater improvements, on 48.11 net acre and 125.14 net acre parcels in the ESI District. The applicant requested Zoning Relief from the side-yard setbacks of Section 1103.D, curb requirements of Section 1812.A(1)(a)(iii), and buffer-yard requirements of Section 1812.D(2) of the Zoning Ordinance, which was granted by the Zoning Hearing Board on May 28, 2024.

- b. Solicitor Jennings explained that the developer proposes to build a 12,000 square foot classroom education center. He then introduced Al Fuscaldo, attorney for the developer seeking preliminary approval for a modern classroom space.
- c. Chris Potterjoy was then introduced to and explained further that three waivers were before then board.
 - 1. To allow preliminary and final approval to go through as is.
 - 2. Shadow analysis
 - 3. Concrete movements – no new lot lines or subdevelopment
- d. Vice Chair Sosangelis moved to approve UPenn New Bolton’s plan, Supervisor Sarro seconded, carried 5/0.

10. RESOLUTION NO. 2024-30: APPROVAL OF REVISED LAND DEVELOPMENT PLAN FOR RIEPE CENTER FOR ADVANCED VETERINARY EDUCATION – UPENN NEW BOLTON CTR

- a. Discussion and possible adoption of Resolution No. 2024-30, to approve subject to conditions, the plan titled, “*Riepe Center for Advanced Veterinary Education*,” prepared by Pennoni Associates, dated April 26, 2024, last revised July 2, 2024.
 - b. Vice Chair Sosangelis motioned to approved Resolution No 2024-30, Supervisor Elks seconded, carried 5/0.
- a. Draft On-Lot Sewage Disposal Ordinance – Authorization to Advertise for Public Inspection
Discussion and possible authorization for advertisement of the draft ordinance for public inspection, prior to the Board of Supervisors’ possible adoption at the August 5, 2024, meeting.
- b. Supervisor Elks motioned to authorize the advertisement of this ordinance. Supervisor Sarro seconded, carried 5/0.

11. UNIONVILLE AREA REGIONAL COMPREHENSIVE PLAN – AMENDMENT UPDATE
Presentation by Rob Daniels, Brandywine Conservancy

- a. The purpose of this 2024 Unionville Area Regional Comprehensive Plan is an update of the prior Plan completed in 2011. While the 2024 Plan builds on the many goals and recommendations contained in the 2011 Plan, it also provides a focused approach to five key issues identified by the three municipalities as critical elements to address in the coming years. The five key issues are: Open Space Priorities; Historical Resources; Guiding Growth; Coordinated Parks and Recreation; and Resiliency. Next step of the plan update process is to conduct a public hearing with a 45-day comment period, prior to consideration for adoption by the participating municipalities.
- b. Marie DiConstanza asked if there was any public input.
Ruthie Kranz asked how individuals could protect and preserve land.
- c. Vice Chair Sosangelis moved to approve the Comprehensive Plan, Supervisor Auger seconded, carried 5/0.

12. RESOLUTION 2024-31: RECOGNIZING THE U.S.A. SEMIQUINCENTENNIAL (AMERICA250PA)

- a. Discussion and possible adoption of Resolution 2024-30, adopting the Pennsylvania Legislature and the Governor's 'AMERICA250PA' campaign.
- b. Township Manager, Neil Lovekin gave details of this resolution.
- c. Vice Chair Sosangelis motioned to approve Resolution 2024-31, Supervisor Auger seconded, carried 5/0.

13. CONTINUING BUSINESS

- a. Township Police Department – Use of a Personal Motorcycle for Special Events and Other Operational Services
- b. Discussion and possible authorization for the Township Police Department to add a personal motorcycle, a 2003 Harley Davidson Road King, to the township fleet for use during special events and other operational activities. The motorcycle was given to Officer Sheller upon his retirement from the Borough of Parkesburg as its Chief of Police.
- c. The Board had an open discussion on this topic. They agreed that an agreement would be required between parties. If decided to move forward Solicitor Jennings would draft this document. Ultimately the board decided that they would address concerns and tabled this discussion until there is a need.

14. NEW BUSINESS

- a. Temporary Outdoor Activity Permit Application for *Regional Fire Companies' Joint Fundraiser*
Discussion and possible approval of temporary outdoor activity permit for event to be held October 19, 2024, at the Po Mar Lin Fire Company, located at 36 Firehouse Drive, Unionville, PA 19375.
 - i. Gabriel Ratcliff from Longwood Fire and EMS briefed the department's desire to hold this family event/fund raiser composed sponsored by three fire companies, (Longwood, Po-Mar-Lin and Kennett.
 - ii. Supervisor Auger moved to approve the Special Event request, Vice Chair Sosangelis seconded, carried 5/0.
- b. Temporary Outdoor Activity Permit Application for the *100th Annual Unionville Community Fair*
Discussion and possible approval of temporary outdoor activity permit for event to be held October 4-6, 2024, located at the Landhope Farms Steeple Chase Grounds.
 - i. Barry Cash and Lindsay Yates, representing Unionville Community Fair presented this request for a temporary outdoor permit
 - ii. Vice Chair Sosangelis moved to approve the permit, Supervisor Elks seconded, carried 5/0.
- c. Temporary Outdoor Activity Permit Application for *Mushroom Cap Half Marathon – Run2Shine*

Discussion and possible approval of temporary outdoor activity permit for event to be held November 2, 2024, in the Kennett Square area. Discussion and possible approval of temporary township road closure(s) for cut-thru traffic.

- i. Kara Gibbons, Co-organizer for the event explained that as in past years they expect over 800 runners for the same route as past years. Chief Clarke explained that payment for the police traffic control and road closures must be received at least one week prior to the event.
- ii. Vice Chair Sosangelis motioned to approve the event permit, Supervisor Sarro seconded, carried 5/0.

15. ZONING HEARING BOARD APPLICATIONS

a. 938 East Baltimore Pike (*GuGu Asian Table*) – Variance to Exceed Lot Coverage
Discussion of whether to take a position on the Application that seeks a variance to maintain the maximum allowed lot coverage for customer parking. A hearing date has not been scheduled.

b. 720 Willowdale Lane (Tonetta Residence) – Special Exception to Construct Accessory Dwelling
Discussion of whether to take a position on the Application that seeks a special exception to construct an accessory dwelling. A hearing date has not been scheduled.

c. The board decided to take no position on these applications.

16. TOWNSHIP DEPARTMENTS – MONTHLY REPORTS

a. Police Department

- i. For the month of July 238 incidents were reported, 123 of which were handled by EMTPD. Busiest day was Tuesday
- ii. A speed board has been delivered and is in service.
- iii. Due to the recent power outage that lasted 2 days the Police Department has requested a generator.
- iv. The F150 truck has been delivered.

b. Public Works Briefed by Jeff Simpson, Public Works director

- The 2023 Peterbilt is tentatively scheduled to go to the upfitter in late 2024.
- The crack sealing patches from 2023 in Wiltshire, were resealed and the loose stone was removed, as were all of the other roads on the crack sealing project list.
- Marlborough Road and Marlboro Woods were resurfaced with oil and chip. They will be fog sealed in the next week or so.
- The paving projects on Valley Road and Schoolhouse Road are complete. Shoulder restoration is underway to eliminate the edge drop off.
- A storm on 7/16 caused widespread damage to trees and utility poles/wires throughout the Township. We worked until 3:00 AM on 7/17 to clear as many roads as possible that didn't have electric wires involved. Some roads were barely passable. There were many sewage

pump stations operating on generators for several days, and all of the traffic signals operated on generators at one point, with a couple remaining on generators for several days. As power was restored to areas with sewer grinder pumps, numerous pumps had to be pulled for repair from possible power surges. The repairs are on-going.

- Repaired numerous Belgium Block curb joints in Traditions.
- Investigating a sink hole on Fountain Trail, under the sidewalk.
- The battery Backup system was repaired at Bayard Road and Rt. 1.
- The battery backup system failed at Conservatory Road, and we are waiting for parts.

- c. Township Manager, Neil Lovekin briefed that the admin staff has undertaken a parcel project. This entails going through all the files and where appropriate filing material into files labels with parcel ID's. This will make it easier to find historical information on properties.

17. TOWNSHIP ADVISORY COMMITTEES' UPDATES

Topics: Personal Police Motorcycle Addition to the Fleet

Organizational Sustainability – Met on Wednesday, July 17, 2024 (11:00 a.m.)

Community Development – Met on Wednesday, July 17, 2024 (1:00 p.m.)

Health & Safety – Met on Tuesday, July 23, 2024

18. APPROVAL OF MEETING MINUTES

Chair Monahan addressed the board thanking Tom Simperts for his service on the Zoning Hearing board. Her words are quoted below:

“WITH RESPECT TO THE FIRST ITEM, I WOULD LIKE TO FIRST THANK TOM FOR HIS SERVICE ON THE ZONING HEARING BOARD AND FOR HIS MANY YEARS OF SERVICE TO OUR COMMUNITY.

SERVING ON OUR ZONING BOARD REQUIRES A COMMITMENT NOT ONLY OF TIME.

IT REQUIRES KNOWLEDGE OF OUR ZONING LAWS, PREPARING FOR AND ATTENDING MEETINGS, LISTENING TO LANDOWNERS, LAWYERS, ENGINEERS, AND COMMUNITY MEMBERS, AND - ABOVE ALL - EXERCISING GOOD JUDGMENT, AND, EVEN MORE IMPORTANTLY, IT REQUIRES A COMMITMENT TO OTHERS, TO THE COMMUNITY WE ALL CALL HOME.

TOM EARNED THE RESPECT AND CONFIDENCE OF EVERYONE INVOLVED WITH OUR ZONING BOARD FOR HIS CONTRIBUTION IN ALL THESE AREAS.

THANK YOU, TOM. YOU WILL BE MISSED. BEST WISHES FOR YOUR FUTURE ENDEAVORS.

WITH RESPECT TO APPOINTING TOM'S REPLACEMENT, WE HAVE THE OPTION TO APPOINT ONE OF THE ALTERNATES OR ADVERTISE THE VACANCY TO SOLICIT ADDITIONAL APPLICANTS FOR THE VACANCY.”

Supervisor Auger made the motion to approve the minutes from the July 2024 meeting. Supervisor Elks seconded. Carried 5/0.

19. **ADJOURNMENT**

*Respectfully submitted,
Mickey Bailey, Recording Secretary*