

Lower Oxford Township
Board of Supervisors
Regular Meeting & Zoning Amendment Hearing Minutes
March 9, 2016

The Regular Meeting of the Lower Oxford Township Board of Supervisors and a Hearing for a proposed zoning amendment were held at the Township Building, 220 Township Road, on Wednesday, March 9, 2016.

The following were in Attendance: Chairman Kenneth L. Hershey, Vice Chairman W. Ronald Kepler, Supervisor Joel C. Brown, Solicitor Winifred Sebastian, Building Inspector Scott Moran, Codes Enforcement Officer Deborah Kinney, Secretary/Treasurer Sara Laganelli, and two guests.

CALL TO ORDER

Chairman Kenneth L. Hershey called the regular meeting to order at 7:00 p.m. Mr. Hershey turned the meeting over to the Township Solicitor, Winifred Sebastian. Mrs. Sebastian dispensed of the opening formalities and asked for comments on the regular meeting agenda items. The Board recessed the regular meeting.

ZONING HEARING

Mr. Hershey opened the zoning amendment hearing at 7:01 p.m. and turned the proceedings over to the Township Solicitor. Mrs. Sebastian presented procedures for the hearing.

Mrs. Sebastian entered the following Board Exhibits:

1. Proof of Publication
2. Evidence of Forwarding the proposed zoning amendment to the County Planning Commission
3. Forward to the Chester County Law Library
4. Minutes from the Lower Oxford Township Planning Commission containing discussion of the proposed amendment
5. Comments from the Chester County Planning Commission
6. Minutes and review letter from the Oxford Region Planning Committee

Mrs. Sebastian presented the elements of the proposed ordinance to amend the zoning in the C-1 Neighborhood Commercial Development District. The amendment will add two new uses to the C-1 that are currently in the C-2 and C-3 upon approval by the Board of Supervisors as a conditional use. There are two new subsections §800.12.J: Nursing, rest or retirement homes and §800.12.K: Active adult residential development.

Hearing Public Comment

None.

Hearing Adjournment

Mr. Kepler moved to adjourn the zoning hearing at 7:07 p.m. Mr. Brown seconded the motion. MOTION CARRIED.

REGULAR MEETING

The Supervisors reconvened the Regular meeting at 7:07 p.m.

PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE

Mr. Kenneth L. Hershey led the Pledge of Allegiance to the flag and asked for a moment of silence.

PUBLIC COMMENTS CONCERNING ITEMS ON THE AGENDA

None.

RECOGNITION OF THOSE ASKING TO APPEAR ON THE AGENDA

None.

ORDINANCE ADOPTION

Mr. Kepler moved to adopt Ordinance I-2016, Amending the Lower Oxford Township Zoning Ordinance of 1970 for the C-1 Neighborhood Commercial Development Section §800. Mr. Hershey seconded the motion. Mr. Brown abstained. MOTION CARRIED.

APPROVAL OF THE MINUTES

Mr. Kepler moved to approve the minutes for the regular meeting on February 10, 2016. Mr. Brown seconded the motion. MOTION CARRIED.

TREASURER'S REPORTS

Presentation of Bills – Mr. Brown moved to approve and pay the bills: totaling \$46,352.52 for General Fund, \$2,474.05 for Open Space Revenue Fund, \$15,595.00 for State Fund, and \$1,161.62 for Sewer Fund. Mr. Kepler seconded the motion. MOTION CARRIED.

Escrow Account – Mr. Kepler moved to transfer \$1,307.25 from the three listed subaccounts to the Master Escrow account to reimburse for Engineering fees and refund MacKnight's. Mr. Brown seconded the motion. MOTION CARRIED.

CORRESPONDENCE

- ✓ Letter from Octoraro Watershed Association asking for an annual contribution of \$200.
- ✓ The Chester County Planning Commission Guide.
- ✓ Letter from FEMA regarding three activities that the Township should undertake during the upcoming months to ensure continued participation in the National Flood Insurance Program.
- ✓ Brandywine Conservancy's announcement of a "Primer on Planning, Zoning, Subdivision and Land Development, and the Official Map" to be held on April 2nd at the Brandywine River Museum of Art Lecture Room.
- ✓ An Agenda to the Oxford Regional Planning Committee meeting held February 24th.
- ✓ Interest rates and information on escrow accounts from 1st Resource Bank.
- ✓ Letter from the Chairman of the Public Employee Retirement Commission (PERC) regarding the Governor's defunding their operations and how it affects the Act 205 Actuarial Valuation Reports.
- ✓ SCCEMS Medic 94 Monthly Municipal Report for February.
- ✓ Notice that the Lincoln University Wastewater Treatment Plant has submitted a project application to DEP for renewal of the existing NPDES Permit.
- ✓ Incident listing from the Union Fire Co. No. 1 for January.
- ✓ Notice that the Union Fire Co. has scheduled the first meeting of the Fire Company Liaison Committee to be held on March 24th at 7:00 p.m. at the Fire Company.
- ✓ Minutes from the OARA's December 17, 2015 and January 21, 2016 meetings. They are holding a workday at the park on April 23rd from 8 am until Noon, all are welcome to help!
- ✓ PA State Police statistics report for January.
- ✓ Statement from PSATS stating that townships should continue to send their Act 205 reports to PERC.
- ✓ The 2017 Transportation and Community Development Initiative Funding information from the Delaware Valley Regional Planning Commission.
- ✓ *The Secretary sent invitations to Lower Oxford's Conservation Coffee to be held March 14th at 9:00 a.m. Chester County Farmland Preservation and Brandywine Conservancy will do a presentation to potential farm owners that qualify for preservation. Also, information on recycling farm bale and feed plastics will be discussed.*

Mr. Kepler moved to accept the correspondence. Mr. Brown seconded the motion. MOTION CARRIED.

BUILDING INSPECTOR

Mr. Scott Moran reported that he had two (2) plan reviews, five (5) regular inspections, and two (2) storm water inspections in the month of February. Mr. Kepler moved to accept the Building Inspector's report. Mr. Brown seconded the motion. MOTION CARRIED.

CODES ENFORCEMENT OFFICER

Mrs. Kinney read the Building Permits & Zoning Violations Reports for February. She issued six (6) residential building permits. Mrs. Kinney said that there was a violation at 1746 Baltimore Pike with sheep that had been satisfied

Bombay Enterprises, LLC - Mrs. Kinney said that the Township Planning Commission had recommended approval of the Bombay Enterprises land development plan for 320 Reedville Rd. Mr. Kepler moved to adopt Resolution 2016-05 to approve the Bombay LDP contingent upon obtaining approval from the Chester County Conservation District and a submission of cost estimate for approval of storm water improvements and erosion & sedimentation controls. Mr. Brown seconded the motion. MOTION CARRIED.

Israel Smoker SFPM Component 2 – Mr. Kepler moved to adopt Resolution 2016-06 for Israel Smoker's Sewage Facilities Planning Module located at 245 Whiteside Dr., contingent upon obtaining approval from the Chester County Health Department and Chester County Planning Commission. Once the approvals have been received, the transmittal letter and resolution may be signed and dated outside a public meeting. Mr. Brown seconded the motion. MOTION CARRIED.

Reedville Ventures – Mr. Kepler moved to adopt Resolution 2016-08 for a 365 day extension to the final plan approval of Reedville Ventures. Mr. Brown seconded the motion. MOTION CARRIED.

Mr. Kepler moved to approve the Codes Enforcement Officer's reports. Mr. Brown seconded the motion. MOTION CARRIED.

ENGINEER

The Secretary read the Engineer's reports for February. Mr. Brown moved to approve the Engineer's report. Mr. Hershey seconded the motion. MOTION CARRIED.

OASA Report

Mr. Kepler moved to appoint Robert McMahon to fill the vacancy on the OASA for a two (2) year term. Mr. Brown seconded the motion. MOTION CARRIED.

ROADMASTER

The Secretary read the Roadmaster's Report for February. Mr. Kepler moved to approve the Roadmaster's Report. Mr. Brown seconded the motion. MOTION CARRIED.

The Secretary explained that they received three quotes for a new tar pot. Mr. Kepler moved to purchase a 260 gallon tar kettle from Asphalt Care Equipment & Supplies for a total cost of \$15,595.00 to be paid from the Liquid Fuels Equipment fund. Mr. Brown seconded the motion. MOTION CARRIED.

REGIONAL RECREATIONAL AUTHORITY

No report.

HISTORICAL COMMISSION

No report.

EMERGENCY MANAGEMENT

No report.

OXFORD REGIONAL PLANNING COMMITTEE

Mr. Brown reported that they met in February and had Carol Stauffer and Carrie Conwell from the Chester County Planning Commission present information on gas pipelines. West Nottingham Township requested a letter of support to PENNDOT for a traffic study on Route 272. The Brandywine Conservancy is working on a native plant list for our region. Mr. Kepler moved to write a letter of support for West Nottingham. Mr. Brown seconded the motion. MOTION CARRIED.

OLD BUSINESS

Backyard Chickens - The Township Planning Commission would like to see the Supervisors proceed with an ordinance allowing 12 hens on a minimum of 2 acres, no roosters, and requiring all hens must be contained. Mr. Kepler moved to send this to the Township Solicitor to write an ordinance according to the PC and Supervisors recommendations for backyard chickens. Mr. Brown seconded the motion. MOTION CARRIED.

NEW BUSINESS

Spring Clean-up April 22 & 23 - Mr. Kepler move to order dumpsters and advertise for Spring Trash Days on Friday April 22, 7:00 a.m. until 3:30 p.m. & Saturday April 23, from 7:00 a.m. until Noon. There will be a fee for tires. Mr. Brown seconded the motion. MOTION CARRIED.

Oxford Little League – The OLL Softball teams have requested to use Bernard Park’s baseball field beginning March 28th for the spring season Mon-Fri evenings. They will provide the Twp. with a Certificate of Liability insurance. Mr. Kepler moved to approve the use of Bernard Park by the Oxford Little League. Mr. Brown seconded the motion. MOTION CARRIED.

OTHER BUSINESS

Mr. Kepler said that FEMA has made changes to the floodplain map and the Township has to notify the land owners affected.

Mr. Kepler asked about the status of the Walmart buggy shed project. Mrs. Kinney said the plan was submitted today.

Mr. Kepler said that the Township needs easements for the Route 10 sewer project on the east side. The Township will pay to bore under Route 10 and collect \$1,500 from each home owner that connects to the sewer.

PUBLIC COMMENTS

Mr. Johnny Williams – Asked questions about the directional boring under route 10.

Mr. Brown moved to adjourn the meeting at 8:07 p.m. Mr. Hershey seconded the motion. MOTION CARRIED.

Note: Copies of all reports mentioned are available at the Lower Oxford Township Building, 220 Township Road, Oxford, PA.

Respectfully Submitted,

Sara B. Laganelli
Secretary/Treasurer