



BOARD OF SUPERVISORS

Regular Meeting Minutes

January 18, 2022

The Regular Meeting took place in the Township meeting room and also via an Authorized Telecommunication Device (ZOOM). Supervisors present included Beth D'Antonio (Chair), Michael Wacey (Vice Chair), Alex Bosco, Erik Unger (via Zoom) and Betsy Fadem. Also in attendance were Eugene Briggs (Township Manager), Don Curley (Assistant Township Manager and Director of Public Works), Lt. Mike Seshier, (Easttown Police Department), and Andy Rau (Township Solicitor).

1. **Call to Order** – Chairman D'Antonio called the meeting to order at 7:00 PM and reviewed meeting protocol. Mrs. D'Antonio announced that the Board met in Executive Session on December 21st and January 3rd and will be meeting again this evening to discuss legal and personnel issues.
2. **Pledge of Allegiance** – Mrs. D'Antonio led the Pledge of Allegiance.
3. **Consent Agenda** – Mrs. D'Antonio made a motion to approve Agenda Items 3A, (the January 3, 2022 Organization Meeting Minutes) 3B (the January 3, 2022 Regular Meeting Minutes) and 3C, the payment of the bills. Mrs. Fadem seconded the motion. Mr. Briggs clarified the procedure for submitting questions and comments to the Consent Agenda items to the Staff. Mrs. D'Antonio called for public comment. There was no public comment. Mrs. D'Antonio called for the vote. The motion carried 5-0.
4. **Board Motions, Presentations and Resolutions**

A. Consideration of Resolution 2022-08 – SD 533 Sewage Facilities Planning Module – Mr. Rau provided background on this agenda item noting that the Board had 3 paths forward: 1) approve the Resolution; 2) deny the Resolution and 3) take no action on the Resolution, adding that if the BOS chooses to take no action, the Resolution is deemed approved approximately 60 days after the application was submitted, which would be January 28, 2022. Brady Flaherty, Township Engineer, was in attendance to address any technical questions the Board may have. Mrs. D'Antonio polled the Board members and each member provided their concerns and opinions prior to taking the vote, asking questions of the Staff and Solicitor. They discussed Solicitor Rau drafting a letter memorializing their decision. Mrs. D'Antonio made a motion that the Board of Supervisors take no action on Resolution 2022-08 and direct Solicitor Rau to prepare an explanatory letter to the Pennsylvania Department of Environmental Protection (PA DEP) stating the Board's position. Mr. Bosco seconded the motion. Mrs. Fadem noted that she will be voting against this item. She

explained by not taking action, the Resolution is deemed approved and she would be in favor of an actual approval as her opinion is that the Applicant met all conditions for approval. Mrs. D'Antonio called for public comment. Joan Bergquist, 217 Devon Boulevard, commented on the project. Marc Heppe, 506 Newtown Road, read a prepared statement on this action. Michael DeFlavia, 125 Bartholomew Road, commented on Mr. Heppe's comment and the BOS action. George Broseman, representing the Applicant, commented on the vote, costs and the process. Mr. Wacey commented on Mr. Broseman's statement. Mrs. D'Antonio called for the vote. The motion carried 3-2 with Mrs. Fadem and Mr. Wacey voting nay.

B. Consideration of ZHB 634 – 219 Lancaster Avenue – Riparian Buffer Zone

The Applicants were in attendance to present the plan which proposes to demolish the existing building and utilize the property for motor vehicle storage associated with the adjacent Maserati of the Main Line auto dealership. The Applicant is appealing the Zoning Officer's interpretation of Sections 274-18.A and 18.B of the Natural Resources Protection Ordinance and requests a variance to not provide the riparian buffer. At the January 4th Planning Commission Meeting, the PC did not oppose the variance request. The Board discussed the plan and asked questions of the Applicant and the Staff. Mrs. D'Antonio called for a motion. Mrs. Fadem made a motion that the Board of Supervisors not oppose the variance request. The BOS discussed the importance of supporting the Zoning Officer and how to avoid this situation in the future. Mr. Rau amended the motion to include that the Board supports the Zoning Officer's plain language reading of the ordinance. Mrs. Fadem made the amended motion. Mr. Wacey seconded the amended motion. Mrs. D'Antonio called for public comment. Margaret Dalesandro, 610 Clovelly Lane, commented on the Army Corps. Of Engineers' determination. Mrs. D'Antonio called for the vote. The motion carried 5-0. Mr. Rau confirmed he would send the written letter to the Zoning Hearing Board.

B. Consideration of Resolution 2022-09 Extending Temporary Outdoor Restaurant, Business, Retail, and Commercial Activities –

Mr. Rau summarized the revised Resolution noting it proposes allowing outdoor activities through June 21, 2022. The BOS discussed extending this allowance through the end of the year or possibly making it a permanent change. Mr. Briggs noted the Township has received no complaints on allowing outdoor activity and received some positive feedback from a local business. Lt. Seshar noted the Police have not received any complaints. Mrs. D'Antonio explained that the Township worked with Ms. Ballard, of the Berwyn Business Association, to make sure businesses are aware of this activity and that it is working for them. Mrs. D'Antonio made a motion to approve Resolution 2022-09 Extending Temporary Outdoor Restaurant, Business, Retail and Commercial activities from January 19, 2022 through September 20, 2022. Mrs. Fadem seconded the motion. Mrs. D'Antonio called for public comment. There was no public comment. Mrs. D'Antonio called for the vote. The motion carried 5-0.

C. Consideration of a Petition to Intervene on AQUA's Application to Acquire the Willistown Township Sewer System – Mr. Curley summarized this agenda item and the Board asked questions of Mr. Curley and Mr. Rau. The consensus of the

Board is to table this item until the February 7, 2022 Board of Supervisors meeting. Mrs. D'Antonio called for public comment. There was no public comment.

5. Departmental Reports

- A. Finance – Mr. Briggs presented Interim Finance Director Bill Cloak's report and answered questions from the Board.
- B. Planning and Zoning – Mr. Curley presented the report and answered questions from the Board. Additionally, he indicated the need to notify the landscape contractor (for grass cutting services) of notice to proceed with Contract Year 4 by January 31, 2022 and that unless the BOS objected, he would provide the appropriate notice to the contractor. There were no objections.
- C. Police – Lt. Seshar presented the report and answered questions from the Board. Notable is their ongoing work with the US postal inspectors and Tredyffrin Township regarding the rash of check theft from public Post Office mailboxes, as well as resident mailboxes. Approximately 120 residents of Tredyffrin and Easttown have been affected. The Board confirmed with the Lieutenant that residents are being made aware of this activity.

6. Other Business

- A. **Revisit Reducing Multifamily Building Density for the Village of Berwyn Zoning Districts** – Supervisor Unger brought this discussion to the Board to learn the process to reduce the density and to poll the members on their level of interest. Mr. Briggs outlined the process. The Board and staff discussed the current density numbers. Mr. Rau suggested a designated BOS member meet with the new Township Planner to begin the discussion. Mr. Unger will be that designee. Mr. Rau went through the process noting that any changes must go before the Township Planning Commission and the Chester County Planning Commission. The consensus of the Board is that they would like to head toward a lower density number and determined the first step would be to get input from Mr. Comitta, the Township's new Planning Consultant. Mrs. D'Antonio called for public comment. Joan Bergquist commented on the density issue and Tom Comitta. Michael DeFlavia commented on the density issue. Francine Danenhower, 552 Woodside Avenue, commented on the density issue and definition of Village Transitional. Joe Kohn, 240 Sugartown Road, commented on density.
- B. **Friends of Historic Waynesborough AQUA Grant Letter of Support Request** – Michelle Bradley, Friends of Historical Waynesborough President, summarized this grant opportunity to help fund a portion of the roof replacement to go along with the PHMC grant. The Board discussed the roof replacement and asked questions of Ms. Bradley. She noted their goal is to have the 30-year old roof replaced by the end of this calendar year. The consensus of the Board is that they support this grant application and Mr. Briggs will prepare the letter of support. Mrs. D'Antonio called for public comment. Michael DeFlavia commented on publicizing the need for funds.

7. Board of Supervisors Liaison and Work Group Reports

- A. Easttown Citizens Advisory Committee (ECAC) – Mr. Wacey summarized the last meeting where Tom McGurk was voted Chair and new member, Sarah Henry, is the

recording secretary. ECAC discussed the HSA building study and the proposal to address the results of the study. They will bring the proposal to the February 7th BOS meeting. ECAC will review Township fees as one of their projects.

- B. Easttown Municipal Authority (EMA) – Mrs. D’Antonio summarized that the EMA met on Tuesday, January 11th and discussed the meter study and the potential Willistown Sewer sale.
- C. Historical Commission (HC) – Mrs. D’Antonio reported that the HC met on January 12th. Bill Friedrich continues as Chair and Cheryl Harper as Vice Chair. They discussed several plans brought to them by a property developer who requested the HC’s review. One of their 2022 goals is to update the Historical Resources map and get that update into the Comprehensive Plan. The HC is working on articles and lecture series to inform residents on how to access information and to get people more involved.
- D. Planning Commission (PC) – Mrs. Fadem reported on the PC’s Feb. 4th meeting. Ann Rothman is the new Chair and Nik Kharva is the Vice Chair. The PC reviewed two ZHB applications, one of which was on tonight’s agenda.
- E. Environmental Advisory Council (EAC) - Mr. Wacey reported that the EAC, at their December 23rd meeting, discussed the plastic bag ban and associated survey, providing bags to merchants, and securing grants. Their first joint newsletter with Tredyffrin is targeted for February. The Darby Creek Cleanup is scheduled for April 13th. They also discussed the Mother Earth composting program. Michael DeFlavia commented on the Village and asked about the plastic bag project.
- F. Police Department (PD) – Mr. Wacey summarized the January 5th meeting with the PD. The Department has been hit hard by COVID. They are waiting on parts for the first new car and are going to order the next new car. They are still one car down. Employee reviews have started.

8. Announcements

Mrs. D’Antonio read the following announcements:

The following meetings are scheduled and will be held in the Township meeting room with an option to attend the meeting virtually. Please visit the Township website at www.easttown.org to find information on how to view and participate in each of the meetings and for up to date information on all Township activities.

- **Parks and Recreation Board, January 19th at 7:00 PM**
- **Zoning Hearing Board, January 20th at 7:00 PM**
- **Policy Committee, January 24th at 6:30 PM is canceled**
- **Library Board of Trustees, January 26th at 7:00 PM at the Easttown Library**
- **Environmental Advisory Council, January 27th at 7:00 PM**
- **Planning Commission, February 1st at 7:00 PM preceded by a Workshop Meeting beginning at 6:30 PM**
- **Introduction to the Darby Creek Headwaters Community Monitoring Program, February 3rd at 7:00 PM at the Easttown Library and on Zoom**
- **Board of Supervisors Meeting, February 7th at 7:00 PM**

9. Public Comment – Mrs. D’Antonio called for public comment. Cheryl Harper, 214 Pheasant Hill Drive, commented on Zoom webinars and reporting crime in police blotters. Margaret Dalesandro commented on flag markings in her neighborhood.

10. Adjournment

The meeting adjourned by unanimous consent at approximately 9:30 PM.

Respectfully submitted,

/s/ Sharon Norris

Sharon Norris
Administrative Assistant to the Township Manager