

WEST NOTTINGHAM TOWNSHIP
Board of Supervisors Meeting Minutes
Tuesday, August 25, 2020

NOTE: Due to the COVID-19 pandemic, and the order of Governor Wolf to avoid large gatherings, arrangements were made for individuals who did not want to attend the meeting in person to attend remotely via Zoom. Information to join the meeting online was posted on the outdoor bulletin board at the municipal building and via fliers on the office door; the invitation was also available on the website.

Chair Tiffany Bell called the meeting to order at 7:00 p.m. The pledge of allegiance was followed by a moment of silence.

The following were in attendance: Tiffany Bell, William Winand, Candace Miller, Carey Bressler, John Reynolds, Jr. (online), Helen Esbenshade (online), Bill Romanelli (online), and Don Armstrong (online).

AGENDA COMMENTS

Mrs. Bell offered to give an update on the Route 272 speed reduction effort.

COMMITTEE REPORTS

Committee reports are available upon request.

APPROVAL OF MEETING MINUTES

Minutes from the August 11, 2020 Supervisors Meeting: Mr. Winand moved to approve the minutes from the August 11, 2020 Supervisors meeting. Mrs. Bell seconded the motion. Motion carried.

EXECUTIVE SESSIONS

No executive sessions were held since the last meeting.

SPECIAL GUEST

Carey Bressler, Oxford Public Library: Ms. Bressler provided an update on the library services during since the start of the pandemic. She said the library offers 30-minute in-person visits and curbside pick-up service. Returned books are “quarantined” for 72-hours before they are available for check out. The meeting rooms remained closed for now. She said they offer hotspots to rent for \$2.00 per day. She encouraged anyone who does not have a library card to sign-up for one as September is library card sign-up month.

OLD BUSINESS

Barn Land Development Plan Waivers: Mrs. Miller moved to grant the following SALDO waivers for Lot 18 of the Nottingham Business Center Land Development Plan:

1. Section 303.2 and 303.3 – the requirement that separate Preliminary and Final Plans be submitted and approved is waived.

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2. Section 402.22. – the requirement of a Neighborhood Impact Study is waived.
3. Section 613.1.F. – the requirement that parking stalls be set back 20' from a right-of-way is waived. This waiver applies to 7 reserved spaces as shown on the Land Development Plan to be located within this setback. Existing parking spaces located with the setback are nonconforming as to this requirement and not affected by this waiver.
4. Section 613.1.H. - the required number of parking spaces. This section allows the Board of Supervisors to permit a reduction in the number of required spaces. The Land Development Plan depicts 143 total parking spaces, with 115 spaces to be constructed and 28 spaces to be in reserve. The waiver is granted, subject to the requirement that the 28 spaces in reserve will be constructed in the future by the Developer at the Developer's cost if the Township so requires.

The motion was seconded by Mr. Winand. Mrs. Miller and Mr. Winand voted in favor of the motion. Mrs. Bell recused herself citing that her husband does business with the property owner. Motion carried.

Resolution 12-2020 Conditionally Approving the Land Development Plan for Lot 18 of the Nottingham Business Center and Authorizing the Execution of the Plan and Release for Recording upon Satisfactory Completion of all Conditions: There was discussion regarding the conditions. Changes were made prior to consideration. Mrs. Miller moved to adopt Resolution 12-2020, as amended, conditionally approving the land development plan for lot 18 of the Nottingham Business Center and authorizing the execution of the plan and release for recording upon satisfactory completion of the following conditions, noting that correct wording would be provided by the solicitor:

1. The Developer shall comply with all requirements of the Review Letter. All items remaining to be completed as delineated in the Review Letter shall be completed to the reasonable satisfaction of the Township Engineer and the Township Solicitor; and
2. The Developer will enter into a Financial Security Agreement in a form reasonably acceptable to the Township in the exercise of its reasonable discretion, executed by the Township, the Developer and a financial institution to provide financial security acceptable to the Township in an amount equal to or greater than the full construction cost of the improvements provided for on the Land Development Plan and shall post with the Township a cash escrow in an amount reasonably acceptable to the Township to pay inspection costs and all other reasonable fees of Township consultants associated with the review, approval and administration of the Land Development Plan. (Will not apply to stormwater improvements)
3. The Developer shall enter into a Developer's Agreement with the Township upon such customary terms with respect to development of the Land Development Plan as the Township requires.
4. The Developer shall enter into a Declaration of Restrictive Covenant upon terms acceptable to the Township pursuant to which Lots 15, 16 and 17 shall be restricted against sale (except by deed of conveyance or other conveyance documents expressly restricting the lot(s) from subdivision and development), subdivision and any development activities whatsoever

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unless and until the design and construction of stormwater improvements on Lot 18 have been undertaken and approved by the Township.

5. The Developer shall enter into a Declaration of Private Road Agreement upon terms acceptable to the Township, providing for responsibilities for maintenance, repair and replacement of Ponds Edge Drive and potential dedication, if approved and accepted by the Township.
6. The Developer shall provide demonstrative proof that the stormwater facilities described and provided for on the Nottingham Business Center Plan have actually been built and are operational.
7. The Developer shall have provided the Township proof of approval from all other state and local agencies having jurisdiction over the development and facilities thereon. The Township's approval is commensurate with, and permits issued pursuant to this approval will not exceed the Commonwealth of Pennsylvania Department of Environmental Protection ("PADEP") approval, which approves maximum capacity of the facility of 145 people; provided, however, that this limitation will not apply if approval from PADEP for additional capacity is provided to the Township.
8. The Plan will be accepted for execution by the Township and delivery for recording with the Office of the Recorder of Deeds for Chester County, Pennsylvania only after the foregoing conditions have been met to the full and complete reasonable satisfaction of the Township Engineer and the Township Solicitor.

Mr. Winand seconded the motion. Mrs. Miller and Mr. Winand voted in favor of the motion. Mrs. Bell recused herself citing that her husband does business with the property owner. Motion carried.

Route 272 Speed Control Effort: Mrs. Bell reported that PennDOT performed a speed study and although traffic has slowed down some, there is still interest in putting in flashing signs. Mrs. Bell also wants to talk to PennDOT about putting in the poles for the solar speed control sign. She said there are also plans to put thermoplastics down for the Cemetery/Union Square Roads intersection.

Multimodal Transportation Grant Update: Mrs. Bell provided an updated on the Multimodal Transportation Grant. She said Oxford Borough agreed to provide a letter of support. The deadline for submitting the grant is September 30.

NEW BUSINESS

Beltran Professional Services Escrow Agreement: Mrs. Bell moved to enter into the Professional Services Escrow Agreement with Daniel Beltran and accept the escrow deposit of \$5,000. Mr. Winand seconded the motion. Motion carried.

Hazard Mitigation Plan: There was discussion about the Hazard Mitigation Plan questionnaires. Mr. Reynolds provided some feedback and helped Mrs. Miller complete some of the information. Mrs. Miller will forward the completed questionnaires to Chester County.

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Resolution 13-2020 Fee Schedule: Mrs. Miller moved to adopt the revised fee schedule effective September 1, 2020. Mr. Winand seconded the motion. Motion carried.

Route 272 Road Erosion: Mrs. Bell reported that there was some erosion along the Route 272 near Cemetery Road that was rather concerning. She contacted the Road Master who in turn, contacted PennDOT. PennDOT acted quickly to repair the damage .

FINANCIAL REPORTS

Treasurer's Report: Mrs. Bell moved to approve the Treasurer's Report for the period ending July 31, 2020, subject to audit. Mrs. Winand seconded the motion. Motion carried.

Reconciliation Summary: Mr. Winand moved to approve the Reconciliation Summary for the period ending July 31, 2020, subject to audit. Mrs. Bell seconded the motion. Motion carried.

General Fund Bills List: Mrs. Bell moved to approve the bills list for the period August 12-25, 2020, subject to audit. Mr. Winand seconded the motion. Motion carried.

Liquide Fuels Fund Bills List: Mr. Winand moved to approve the Liquid Fuels Fund bills list for the period August 12-25, 2020, subject to audit. Mrs. Bell seconded the motion. Motion carried.

ANNOUNCEMENTS

There were no announcements.

PUBLIC COMMENT

Mr. Reynolds reported that Chester County has requested a waiver from the State for the Peach Bottom drill.

ADJOURNMENT

Mrs. Bell moved to adjourn the meeting at 8:07 p.m. Mr. Winand seconded the motion. Motion carried.

Respectfully Submitted,

Candace Miller
Secretary/Treasurer