

Board of Supervisors Regular Meeting Held Tuesday February 17, 2004

A regular meeting of the Board of Supervisors was held on Tuesday February 17, 2004 commencing at 9:00 a.m. Chairman Mr. Garris called the meeting to order. Present were Supervisors Mr. Doratt and Mr. Hensel, Mr. Pompo Township Solicitor, Mr. MacCombie Township Engineer, Mr. Lowry Township Zoning Officer/Building Inspector, and members of the community.

A moment of silence and pledge of allegiance were observed.

Township Engineer report: Mr. MacCombie stated that bid packages for the replacement of the Greenbelt Drive Bridge are complete and available for pick up at the Township office. Bid packages will be opened at the March 2, 2004 Board of Supervisors regular meeting. Mr. MacCombie stated he is in receipt of an application from Pennsylvania American Water Company to extend a water line down Strasburg Road into East Fallowfield Township. Mr. Pompo stated that there is no impact on Township sewer allocation. Mr. MacCombie stated he is also in receipt of a re-drafted 537 plan from Pennsylvania Water Company for review.

Township Zoning report: Mr. Lowry reported that Pennsylvania American Water Company has been in contact with him regarding running water lines throughout Pomeroy Heights. Mr. Lowry stated he must supply PAWC with a count of interested homeowners in Pomeroy Heights and they may consider laying the water line. Mr. Lowry stated there would be no cost to the Township for extending water line, Mr. Lowry stated a letter should come from the Township asking residents if they are interested or not. Mr. Lowry stated the State building code would go into effect on April 9, 2004. Mr. Lowry also stated that Tractor Supply has submitted plans. Electronic Boutique has an approved grading permit.

Mr. Garris stated that a discussion of the consideration of Ordinance 2004-02 for adoption amending the zoning map to rezone certain lands. With that Mr. Garris turned the meeting over to Mr. Pompo, which explained the proposed amendment was heard at a public hearing held on December 2, 2003. Mr. Pompo explained the text of the Ordinance was to amend certain lands from R-R to C-1 and to create Overlay Districts 1, 2, and 3 by conditional use.

Mr. Hensel stated that he would not vote on this Ordinance due to the fact that a portion of his land is effected by the Ordinance, but stated he is for this Ordinance and feels the Township is in need of commercial development. Mr. Lowry stated that he was present when Mr. Hensel abstained from voting on the Ordinance at the Planning Commission meeting.

Mr. Garris made a motion seconded by Mr. Doratt, to adopt Ordinance 2004-02 pertaining to amending the zoning map to rezone certain lands. With Mr. Grafton refreshing the public on the areas of change to be Area A R-R to C-1 Area B will be R-R to C-1 Area C to be R-R and Overlay District 1 Area D will be R-R and Overlay District

2 Area E will be R-R and Overlay District 3. Mr. Grafton stated that by adding an Overlay District the Township would have to revise the 537 plans to allow for public sewer and water. Public Questions:

Susan Bankard asked how long has this study been going on. Mr. Grafton answered 3 years. Ms Bankard asked why the Board wants the change why not leave it alone?

Doug Doratt commented they are promoting commercial property. Mr. Garris commented it would save taxes.

Robert Silvernail asked what kind of data do you have to support your comments regarding taxes. Mr. Hensel answered that commercial and industrial property doesn't promote children therefore there are no taxes to raise.

Tony Cabassa asked the Board if they vision an Eagle View for the Township, the reply was yes.

Denise Kent asked what's the benefit to the existing resident by passing this Ordinance? The Board replied taxes would not be increased.

Tony Cabassa stated future growth would affect us all.

Clark Faggilio stated he is a 5 year resident residing on Compass Road he paid \$130,000 for his home 5 years ago, had it appraised and it is now worth \$250,000 so there was an increase in value.

Robert Silvernail asked Mr. Grafton to review the map again and explain density neutral.

Vicki Horan asked if any of the advisors live in Sadsbury Township?

Rick Perch Township resident agreed that Township needs commercial land.

Susan Bankard asking why the Board needs these changes?

Robert Silvernail asked a cluster option question.

Nancy Keen asked why morning meetings? Mr. Doratt stated 2 meetings are needed a month to get Township business done and it allows all age groups and work groups an opportunity to attend.

Clark Faggilio asked if there are any plans for the Ordinance that is being passed? Board answered no.

Denise Winters asked what would stop homes from being built after zoning change? Mr. Lowry answered.

Sherry Pirches asked if there were any written comments after the public hearing held on December 2, 2003. The Board stated yes 29 letters were sent into the Township against the change and there were 18 public comments at the hearing.

Joe Zydinsky stated he is for the change.

Clark Faggilio states not one resident will lose property value.

With the public commenting on the motion, Mr. Garris voting "aye", Mr. Doratt voting "aye", Mr. Hensel abstained the motion passed.

Mr. Doratt made a motion, seconded by Mr. Garris, to appoint Paul Kiely on the Zoning Hearing Board with a term to expire December 31, 2006. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Pompo stated that 7 actions have been filed against residents that have not tied into the public sanitary sewer system, however 6 residents have paid sanitary sewer fees but are not connected. The Board instructed Mr. Pompo to follow the enforcement of the group paid but not connected.

Connie Alfrez asked once the tap in fees are paid when you flush the toilet where does it go, Mr. MacCombie replied first to the pump station then to the water treatment plant. Ms. Alfrez also commented that the contractor working on the site of the sanitary sewer do not have back up beeping devices installed in their vehicles. Mr. MacCombie will take care of the problem.

Mr. Pompo and the Board discussed the Decision and Order of the Cosmos Properties Application.

Mr. Garris made a motion, seconded by Mr. Doratt, to adopt the Decision and Order of Cosmos Properties Application with amendments to sections 5, 9, 10, 19 and 21. With there being a question from Vicki Horan requesting a copy of the design, Mr. Lymberis provided the document to her. With Mr. Garris voting "aye", Mr. Doratt voting "aye", Mr. Hensel voting "aye" the motion passed unanimously.

Mr. Pompo stated the Board would go into executive session regarding litigation.

With there being no further business the meeting was adjourned.

Respectfully Submitted,

Lisa Myers
Secretary/Treasurer