

Lower Oxford Township
Board of Supervisors
Regular Meeting & Zoning Amendment Hearing Minutes
July 13, 2016

The Regular Meeting of the Lower Oxford Township Board of Supervisors and a Hearing for a proposed zoning ordinance amendment were held at the Township Building, 220 Township Road, on Wednesday, July 13, 2016.

The following were in Attendance: Chairman Kenneth L. Hershey, Vice Chairman W. Ronald Kepler, Supervisor Joel C. Brown, Solicitor Winifred M. Sebastian, Building Inspector Scott Moran, Codes Enforcement Officer Deborah Kinney, Secretary/Treasurer Sara Laganelli, and seven 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 and recommendation to adopt.
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 by adding a new section §I425 Poultry, which contains provisions such as allowing twelve (12) hens on two (2) acres but no roosters and there are certain requirements regarding the structure that the hens may be kept in.

Hearing Public Comment

None.

Hearing Adjournment

Mr. Kepler moved to adjourn the zoning hearing at 7:10 p.m. Mr. Hershey seconded the motion. MOTION CARRIED.

REGULAR MEETING

The Supervisors reconvened the Regular meeting at 7:10 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

Ms. Carey Bresler, Oxford Public Library – Ms. Bresler thanked the Board for their continued support of the library. She explained that they are very busy this summer and that the new children's room re-opened upstairs. They have 10,000 registered users; there were 79,000 visits last year and 126,000 items circulated. Many patrons use the computers. They are deciding the best way to use the basement now that the children's room has been moved upstairs. The theme of this year's summer reading program is Fitness. There will be a finale party on August 12th.

ORDINANCE ADOPTION

Mr. Kepler moved to adopt Ordinance 2-2016, Amending the Lower Oxford Township Zoning Ordinance of 1970 for the addition of Section §1425 Poultry. Mr. Brown seconded the motion. MOTION CARRIED.

APPROVAL OF THE MINUTES

Mr. Kepler moved to approve the minutes for the regular meeting on June 8, 2016. Mr. Brown seconded the motion. MOTION CARRIED.

TREASURER'S REPORTS

Presentation of Bills – Mr. Kepler moved to approve and pay the bills: totaling \$42,367.14 for General Fund, \$72,261.75 for Open Space Revenue Fund, and \$131,688.25 for State Fund. Mr. Brown seconded the motion. MOTION CARRIED.

CORRESPONDENCE

The Secretary read the Correspondence report. The Southeast Regional Household Hazardous Waste Collection Program (SRHHWCP) is asking for a commitment for 2017-2020. Mr. Kepler moved to approve participation in the SRHHWCP for 2017-2020. Mr. Brown seconded the motion. MOTION CARRIED.

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

BUILDING INSPECTOR

Mr. Scott Moran reported that he had four (4) plan reviews, twenty-five (25) regular inspections (3 of which failed) in the month of June. 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, one (1) commercial permit, and one (1) Use & Occupancy. Mrs. Kinney said that there were several weed violations and all had been satisfied except for 450 Limestone Rd.

Mrs. Kinney told the Supervisors that Mr. Jim Kelican was in the audience and wanted to speak to them. Mr. Kelican wanted to make the Supervisors aware of an incident that happened to him while driving on Route 472 in Lower Oxford Township. A man was driving a lawn mower and something flew out and hit Mr. Kelican's car. He believes that man is operating a lawn mower business from his home at 373 Lancaster Pike. The man refused to pay for the damages, so Mr. Kelican's insurance is covering the damages. The Zoning Officer will send a letter along with a Home Occupation Application to 373 Lancaster Pike.

Oxford Commons amended plans for expansion of existing use – Mr. Kinney explained that the Oxford Commons amended plan was for outparcels I & 5. The Township Engineer's comments had all been satisfied. The Township Planning Commission recommended approval. Mr. Bill Dion from Wolfson Group was in the audience. Mr. Dion explained that Starbucks and a cellular store along with another undetermined business would occupy the building next to Mc Donald's. Also, a Dollar Tree is planned for behind the Auto Zone. There was some discussion. Mr. Kepler moved to approve the Oxford Commons plan for expansion of existing use. Mr. Hershey seconded the motion. Mr. Brown abstained. MOTION CARRIED.

Wyncote Dambro – Mr. Jim Fritsch, Mr. Tony Dambro, and Mr. Dan Hudson were in the audience. Mr. Fritsch explained that Mr. Dambro has preliminary plan approval for 74 lots on 98.5 acres on Street Road across from

Wyncote. They were again seeking guidance on the sewer method for the lots. Mr. Fritsch said that Ed Lennex from the Oxford Area Sewer Authority told them that he would agree to accept ownership and responsibility of a waste water treatment plan that would send the treated sewer to the Ross Spray Field. Mr. Brown asked if the OASA had voted on that yet. Mr. Kepler said that the Dambro subdivision is not in the Township's sewer service area. There was some discussion. Mr. Kepler moved to table the issue. Mr. Brown seconded the motion. MOTION CARRIED. The Supervisors will think about it and Mrs. Kinney will be in touch with Mr. Fritsch.

Bombay Enterprises LDP – Mr. Kepler moved to adopt Resolution 2016-17 for a 90 day extension to the Bombay plan approval. 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 explained that the Engineer had sent a cost estimate for the mapping of the Township's stormwater facilities for the MS4. Mr. Hershey moved to table it. Mr. Brown seconded the motion. MOTION CARRIED.

OASA Report

Mr. Kepler reported that there was a committee meeting to discuss borrowing money to pay this year's USDA loan payment. They are going to need to raise sewer rates 27% to make ends meet next year. The OASA Board meeting is July 20th. Mr. Kepler encouraged everyone to attend. Mr. Brown moved to approve the report. Mr. Hershey seconded the motion. MOTION CARRIED.

ROADMASTER

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

REGIONAL RECREATIONAL AUTHORITY

No report.

HISTORICAL COMMISSION

The Secretary read the report from Mr. Jay Eaton for the Historical Commission. There is work being done to research and restore the Mount Calvary Cemetery at the corner of Bethel and Calvary Roads. There are 13 civil war veterans buried there. Mr. Kepler moved to approve the report. Mr. Brown seconded the motion. MOTION CARRIED.

EMERGENCY MANAGEMENT

No report.

OXFORD REGIONAL PLANNING COMMITTEE

Mr. Brown reported that they met on June 22nd and Brandywine Conservancy talked about grants to pay for Engineers for the MS4 requirements. Mr. Kepler moved to approve the report. Mr. Hershey seconded the motion. MOTION CARRIED.

OLD BUSINESS

Junior Supervisor Program – Mr. Kepler moved to proceed with starting a Junior Supervisor program. Mr. Brown seconded the motion. MOTION CARRIED.

NEW BUSINESS

Sterling Act of 1932 – CCATO recommends that the Township adopt a resolution requesting an amendment to the Sterling Act of 1932 to require that up to 1% of Philadelphia wage tax be paid by non-residents of Philadelphia be remitted to the municipality in which the taxpayer resides. It is estimated that Lower Oxford

Township's loss of revenue is \$17,573 and the OASD loss totals \$57,162.00. Mr. Kepler moved to adopt Resolution 2016-18. Mr. Brown seconded motion. MOTION CARRIED.

OTHER BUSINESS

Mr. Kepler asked Mrs. Sebastian if she had recorded the deed for Hawksworth Drive.

Mr. Kepler moved that the Township pay the OXREM dues for 2015 and 2016. Mr. Brown seconded the motion. MOTION CARRIED.

Mr. Hershey said that it is time to paint the inside of the Township building so he wants the Secretary to get estimates.

PUBLIC COMMENTS

None.

Mr. Kepler moved to adjourn the meeting at 8:52 p.m. Mr. Brown 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

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Secretary/Treasurer