



**Board of Supervisors Meeting Minutes
Monday, March 9, 2015, 7:30 p.m.**

Attendance: Supervisors - Barney Leonard, Georgia Brutscher, Ricki Stumpo; Richard Jensen, Zoning/Code Official; Mark Knightly, Public Works Director.

Public in attendance: 7

1. Call to Order: Leonard called the meeting to order at 7:30 p.m. and led the Pledge of Allegiance.

2. Announcements: Stumpo will attend Kennett Area Regional Planning Commission meeting on March 11th to discuss the viability of the Department of Community and Economic Development providing an emergency services study for the member municipalities. Leonard noted that work continues on the new web site.

3. Public Comment: no public comment.

4. Conditional Use Waiver Request/Tax Parcel 63-3-78, being 1977 Marlboro Road (Dwyer): Kate Dwyer appeared before the Board to request a waiver of Code Section 250-70 requiring conditional use approval for a third floor apartment conversion in a barn/garage located on the property. Township issued a building permit for the barn/garage on March 9, 2009. The 2009 permit did not include construction of an apartment on the third floor. Dwyer provided a written narrative describing the following: (a) apartment to be used as an in-law suite; (b) no setback issues identified by the Code Official; (c) Code Official suggested the conditional use waiver as the County Septic Permit issued in 2010 appears to allow for 6 bedrooms; (d) property is part of Struble Subdivision Plan dated December 31, 1991, last revised June 10, 1992 and recorded in the Chester County Recorder of Deeds Office June 30, 1992. Jensen noted that the Board may consider granting the waiver and at the same time impose such conditions necessary to allow use of what is essentially a separate living unit. He recommended that the third floor unit be inspected for compliance with the building code, including but not limited to, street address for the unit in accordance with the County 9-1-1 addressing scheme, electrical systems, mechanical (HVAC), plumbing, and proper means of ingress and egress. Board expressed concern regarding lawn equipment stored on the second floor and requested technical inspections with regard to fire separation. The recorded legal documents do not appear to restrict the construction of the barn/garage or use of the third floor as an accessory dwelling unit. The documents do include language that the property cannot be subdivided. Board may consider a condition requiring that in the event of a transfer in ownership that the new property owner must file for conditional use. **MOTION:** Leonard moved, Stumpo seconded, to waive Code Section 250-70 requiring a conditional use hearing and to authorize the Building Inspector to proceed with an initial inspection at the expense of the landowner in order to identify and assess areas for compliance; motion approved.

5. Zoning Officer Report: no report submitted.

6. Public Works Report: Knightly reported that salting and plowing operations continue as needed. Public Works is installing diamond-tex[®] on the baseball infield. The installation should be completed by mid-April.

7. Old Business: Leonard noted the previous presentation by Chester County Historic Preservationist Karen Marshall for a Township representative to attend the Chester County Historic Preservation Network training program in April on historic commission management. While Pocopson has a two-year plan to form a commission, the training program is an excellent opportunity that should not be missed. He contacted Jeannette Lindvig, a property owner on Bragg Hill Road, and Sarah Mims, a resident on Denton Hollow Road. Brutscher and Stumpo agreed that the opportunity should be posted on the Township website in the event that Mims is not available to participate in the training program.

8. New Business: no action required.

9. Correspondence: Board reviewed proposal dated March 6, 2015, submitted by Kristin S. Camp, Solicitor for the Township Planning Commission, for Greenway Ordinance Revisions.

MOTION: Leonard moved, Brutscher seconded, to approve the proposal condition upon a review of the scope of work after completion of 10 hours; motion approved.

10. Treasurer's Warrants: Leonard moved, Brutscher seconded, to approve the Bill Payment Lists for February 24 - March 9, 2015 recommended for payment by the Treasurer; General Fund: 20 bills paid totaling \$23,063.44; 7 debit card charges totaling \$545.53; Facilities: 2 bills paid for \$16,637.17; Highway Aid: 7 bills paid totaling \$3,494.89; motion approved.

11. Approval of Meeting Minutes: Leonard moved, Brutscher seconded, to approve the February 23, 2015 Meeting Minutes; motion approved.

12. Adjournment: At 8:09 p.m., Brutscher moved, Leonard seconded, to adjourn the meeting; motion approved.

Susan Simone, Administrative Secretary

Barney Leonard, Chairman