

**Minutes of the Work Session ZOOM Meeting
Of the Borough of Chester Heights
222 Llewelyn Road
Chester Heights, PA 19014
January 25th, 2021**

Call to Order President Baum called the public meeting to order at 7:00 p.m. and led those in attendance in the reciting of the Pledge of Allegiance.

Members Present Drew Baum, President
Ginamarie Ellis, Vice President
Laura M. Lim, Pro Tem
Bob Adams, Council
Natalie M. Anderson, Council
Susan Clarke, Council
Fred Wood, Mayor

Officials Present Gerald C. Montella, Esq., Solicitor
Matthew R. Houtmann, P.E., Engineer

Public Comment: No Report

Rose Hill Agreements – Presented by Solicitor Montella:

Solicitor Montella requested Council to consider a Motion to adopt 3 (three) agreements:

- Development Agreement
- Improvement Security Agreement- including cost estimate of \$866,564.96
- Storm Water Management Agreement

All agreements include up to date revisions reviewed by the Borough Engineer and Solicitor.

Paragraph 14 – page 5 – Development Agreement:

Engineer Houtmann reviewed paragraph 14, page 5 of the Development Agreement. The developer has agreed to construct a low pressure sanitary sewer force main along the property's (Rose Hill Subdivision) entire frontage on Llewelyn Road to facilitate possible tie-in by homes along Llewelyn Road. Developer agrees that the estimated cost of said low pressure force main shall be included in the financial security to be provided for the Rose Hill Development. Developer further agrees to prepare the application for Planning Module approval to be submitted to DEP for said low pressure force main and, in the event that the Planning Module is approved by DEP, to construct said low pressure force main in accordance with the Development Plan. Further, if the Planning Module is approved, Developer will enter into an agreement with Southwest Delaware County Municipal Authority ("Southwest") for the construction of said low pressure force main. Assuming approval of the Planning Module by DEP, the Borough will release the portion of the financial security allocated for said low pressure force main to Developer for deposit with Southwest upon notice from Southwest that the agreement has been signed and that Southwest will accept the released funds as financial security for the low pressure force main. In

the event that the Planning Module is not approved as submitted, the Borough may retain the funds allocated to said low pressure force main and Developer shall be relieved of any responsibility for construction said low pressure force main along Llewelyn Road. In no event will Developer be responsible for purchasing and EDU's for any properties which are not part of the Rose Hill Subdivision.

President Baum requested a Motion to approve all 3 (three) agreements, in their revised version, Development Agreement, Improvement Security Agreement - including cost estimate - \$866,564.96, and the Storm Water Management Agreement.

MOTION

Upon Motion, Council (Ellis.Lim) voted and approved all 3 (three) agreements for Rose Hill – Development Agreement, Improvement Security Agreement, Cost Estimate - \$866,564.96, and the Storm Water Management Agreement in their updated revised form. Council – Baum, Ellis, Lim, Adams, Anderson voted AYE, Council – Clarke NAY, Council – Firkser not in attendance.

Powell Property Presentation – President Baum presented Joe Damico:

Mr. Damico represents the Powell Estate which is the owner of acres of land with frontage on Valleybrook Road and Smithbridge Road. In attendance for this presentation is Jennifer Reitz with Thomas Comitta Associates Inc. Previously presented to Council on November 23, 2020 was a full presentation of all plans and exhibits that meet the PRD Ordinance requirements in addition to a By-Rite sketch plan for 23 single family dwellings.

Mr. Damico reported that at the November meeting Exhibit 7 – Original Fiscal Impact Statement was supplied to Council. The results from this study raised questions and concerns that could not be answered at the time.

1. Did the Garnet Valley School District supply their numbers and include the Brookefield Townhome Development?
2. Did the Garnet Valley School District include over 55 townhome developments with their numbers?
3. Another inquiry was the eastern stream portion on Valleybrook Road which is in the open space of Rocheford Estates Development. As the stream proceeds to the west a portion is owned by both properties. A complete survey will be prepared before the proposed build would begin.

Mr. Damico looks forward to Council inspecting the property. Glen Powell will be available at the Inspection. Mr.Damico will be available after the inspection to answer any questions and obtain direction from Council.

Jennifer Reitz proceeded with the changes to the Fiscal Impact Statement:

The draft fiscal impact statement previously mention, was a study comparing 52 Carriage Units (PRD) and the 23 single family dwellings (by-rite plan) based on Garnet Valley School District 2019 enrollment study. Garnet Valley supplied Ms. Reitz with a multiplier of 0.36 per unit. The information supplied by the school did include over 55 townhome communities, it does not include senior communities/continuing care. The school district supplied information on Brookefield townhome development, there are 33 children currently transported to Garnet Valley School District. The Brookefield sales office supplied that 61 townhomes are occupied out of the 77 townhomes, which gives a multiplier of 0.54. This is higher than the 0.36 that the school district uses. Note: The Rose Tree Media School District uses a multiplier of 0.20 for their demographic study. Ms. Reitz opened the subject for discussion. Councilwoman Clarke expressed concerns and questions of following the standard demographic study with a multiplier of 0.36

when the Brookefield townhomes (the only development) shows a 0.54 multiplier. Ms. Reitz states most of the children in the Brookefield development have been accounted for with the standard study. Also Councilwoman Clarke inquired how many of those children were included in the 55 and over townhomes and Ms. Reitz had not asked the school district for detailed percentages they used the average study. Mr. Damico included that all planning studies use an average and that is how the report was prepared. Councilwoman Clarke asked Mary Kay Beirne to research the 55 and over communities that are included in the demographic studies for the borough for an itemized list. Ms. Reitz supplied a statistic - 100 children = 261 apartments = multiplier of 0.38 which is slightly higher than the 0.36 provided by the school district. Pro Tem Lim reviewed the math multiplier the 0.36 used would project 19 children, using Brookefields multiplier of 0.54 would project 28 children, so 9 more children would be the result using the higher multiplier.

President Baum opened the discussion up for public comment:

Public Comment given by:

Tony Ierati - 271 Stanton Court
Greg Chestnut – 317 Willits Way
Melissa Straighten –
Marta Driscoll – 458A Lenni Road
Ron Surkin – Valleybrook Road

Ordinance/Code Review:

Chapter 61:

Councilwoman Clarke would like to review Chapter 61 at Councils next meeting with Building Inspector Richard Jensen.

Medical Marijuana Dispensaries:

Councilwoman Clarke discussed the likeliness that the Borough needs to address the possibilities of medical marijuana dispensaries with an Ordinance. Concord Township already has one in place and has a possible dispensary wanting to open in a location bordering line of Chester Heights Borough. Solicitor Montella advised President Baum had asked him to look into the potential use. Solicitor Montella was asked to draft an Ordinance for medical marijuana dispensaries. Solicitor Montella suggested Council review area's within the Borough to consider this use.

Public Comment:

Kate Nolt – 24 Bishop Dr.

Library Board Representative Vacancy – Rachel Kohl Library:

President Baum announced three (3) letters of interest received by the Borough for the vacancy:

Kimberlyann Mackey
Betsy Walker
Deborah Miller

President Baum requested Council for a nomination to fill the Library Board Representative Vacancy:

Councilwoman Clarke – nominated Deborah Miller
Vice President Ellis – nominated Deborah Miller

President Baum requested a Motion to appoint Deborah Miller as the Library Board Representative.

MOTION Upon Motion, (Lim.Ellis) voted and unanimously appointed Deborah Miller as the Library Board Representative for the Rachel Kohl Library.

Old Business: Vice President Ellis took time to thank Greg Chestnut for all his dedicated time as the former Library Board Representative for the Rachel Kohl Library, along with Councilmembers.

New Business: Councilwoman Clarke addressed the proposed open space at Llewelyn & Lenni Roads from Rose Hill Development. The Borough was offered this open space and had never accepted the offer. Councilwoman Clarke reported the open space in question would remain open space whether the Borough took ownership or not, and asked Council to consider the cost for upkeep of the property and to keep in mind the location. Upon discussion Council agreed to decline the open space property.

Councilwoman Clarke requested a Motion to decline the open space property located at Llewelyn & Lenni Roads at the Rose Hill Development site.

MOTION Upon Motion, Council (Baum.Ellis) voted and unanimously agreed to decline the offer of open space located at Llewelyn & Lenni Roads from Rose Hill Developers.

Addition period for public comment:

Gloriann Ellis – 146 Logtown Road
Marta Driscoll – 458A Lenni Road
Therese Houke

ADJOURNMENT: Upon Motion, Council (Ellis.Adams) voted and unanimously adjourned the meeting at 8:19 P.M.

Respectfully Submitted
Darlene Kurten
Recording Secretary

