



**UPPER PROVIDENCE BOARD OF SUPERVISORS
MINUTES FOR FEBRUARY 16, 2016**

ATTENDANCE

Philip Barker, Chairman; Lisa Mossie, Vice Chairman; Albert Vagnozzi, Supervisor; Staff present was Timothy J. Tieperman, Township Manager; C. Lee Milligan, Assistant Township Manager; Edward Skypala Esq., Township Solicitor; William Dingman, Township Engineer; Geoff Grace, Planning Consultant; and Ken O'Brien, Traffic Engineer.

PLEDGE OF ALLEGIANCE

Chairman Barker opened the meeting with the Pledge of Allegiance.

EXECUTIVE SESSION REPORT

Chairman Barker stated that there was an Executive Session held prior to this meeting regarding Real Estate negotiations.

APPROVAL OF BILL LIST

1. **January 29, 2016 – February 12, 2016: \$559,736.52.**

Mrs. Mossie made a motion, seconded by Mr. Vagnozzi, to approve the bill list from January 29, 2016 through February, 2016 totaling \$559,736.52. The motion passed unanimously 3-0.

APPROVAL OF MINUTES

2. **February 1, 2016 Meeting Minutes**

Mrs. Mossie motioned, seconded by Mr. Vagnozzi, to approve the February 1, 2016 Minutes. The motion passed unanimously 3-0.

PUBLIC COMMENTS

Pam Bauman, 110 Berkshire Lane, stated that she has concerns regarding the Shoppes at Upper Providence. Our houses back up to this proposed shopping center. Ms. Baumann feels that the tress proposed and the five foot berm will not be effective enough. Ms. Baumann recommends some fast growing trees and an additional earth berm.

PUBLIC HEARING

3. **Receive public comments on a proposed zoning text amendment for the Shoppes at Upper Providence, filed by Hartford Properties to create two (2) lots on 10.33 acres for a food store and other shops.**

Mr. Skypala opened the hearing and summarized the application and exhibits.

Present for this hearing were Attorney Joseph Brion and Michael Jeitner, Bohler Engineering.

Testimony was taken by Court Reporter Jon Pichelman.

Upon conclusion of testimony, Mr. Skypala closed the hearing and reviewed a proposed Ordinance for the Board's consideration.

Mrs. Mossie made a motion, seconded by Mr. Vagnozi to approve Zoning Text Amendment 8-001-017 1112ZTA in accordance with the Planning Commission's recommendation dated January 13, 2016, and Ordinance No. 551. The motion passed unanimously 3-0.

OLD BUSINESS (ACTION/DISCUSSION ITEMS):

4. Consider action to approve a tentative land development for the Shoppes at Upper Providence, filed by Harford Properties to create two (2) lts on 10.33 acres for a food store and other shops.

Mr. Skypala stated that the Board incorporate, by reference, any testimony that has been given in the Zoning matter and proceed with any additional evidence.

Present for this application were Attorney Joseph Brion and Engineer Michael Jeitner, Bohler Engineering.

Mr. Brion stated that having given testimony on the Zoning Text Amendment, that he had nothing further to add and that he would take questions from the residents and the Board.

Mrs. Mossie asked if there was a way to turn the buildings so that the loading area is not backing up to the residential properties.

Mr. Brion responded that the property is owned by the applicant, and that the building is predesigned. The building cannot be turned around.

After a brief discussion regarding Land Development versus Subdivision, the Board and Mr. Brion agreed to table this proposal until a later date.

Mr. Brion stated that he would send an extension letter. Also, that the applicant would agree to coordinate a neighborhood meeting through the Building and Zoning department.

5. Discuss dedication of Hawkeye Drive (West Tract)

No one was present for this discussion. Plan was tabled.

NEW BUSINESS (ACTION/DISCUSSION ITEMS):

6. Consider action on an application filed by Wynnberry Farm, LLC for a minor, 2-lot preliminary subdivision on 37.5 acres at 912 Hollow Road.

Present for this application were Attorney Robert McGuckin and Engineer Robert Beers.

Mr. McGuckin gave a brief description of this application. The applicant is proposing a minor subdivision of 37.5 acres on Hollow Road. The applicant is proposing the subdivision of a single lot of 1.094 acres, leaving the residual lot with 36.4 acres. The proposed subdivision is within the R-1 Residential Agricultural District.

Mrs. Mossie made a motion, seconded by Mr. Vagnozzi to approve Plan No. 2-050 015-1109 (P)SD in accordance with the Planning Commission's recommendation dated January 27, 2016. All technical deficiencies shall be resolved to the satisfaction of the Township and all recommendations implemented, as outlined in the following letters:

Grace Planning	dated January 19, 2016
McMahon Associates	dated January 19, 2016
Gilmore Associates	dated January 6, 2016

Also, deferral of the waiver list. The motion passed unanimously 3-0.

7. Consider action to establish an appropriate fee for Audubon Land Development's pending Residential Use Group (RUG) application on Arcola Road.

Mr. Tieperman stated that Staff met with Mr. Mullin regarding rezoning the property behind the Providence Town Center to build apartment units. There will be an escrow of \$10,000 and an application fee of \$6,500.

Mrs. Mossie made a motion, seconded by Mr. Vagnozzi to amend the application fee to \$6,500 and the escrow amount to \$10,000 for the pending Residential Use Group application. The motion passed unanimously 3-0.

MANAGER'S REPORT

a) Formal Introduction of New Assistant Township Manager

Mr. Tieperman introduced Bryan Bortnichak as the new Assistant Township Manager.

b) Appointment of New Township Building Code Official (BCO)

Mrs. Mossie made a motion, seconded by Mr. Vagnozzi to appoint Bryan Bortnichak as the new Township Building Code Official. The motion passed unanimously 3-0.

c) Appointment of New Township Zoning Officer

Mrs. Mossie made a motion, seconded by Mr. Vagnozzi to appoint Bryan Bortnichak as the new Township Zoning Officer. The motion passed unanimously 3-0.

d) Recognition of C. Lee Milligan

Mr. Barker presented Mr. Milligan with a Resolution for his outstanding years of service to the Township.

Mrs. Mossie made a motion, seconded by Mr. Vagnozzi to adopt Resolution No. 2016-07. The motion passed unanimously 3-0.

CONSULANT REPORTS

Mr. Dingman stated that he is looking for authorization to advertise for bids for the Mennonite Road, Yeager Road and Vaughn Road paving project.

Mrs. Mossie made a motion, seconded by Mr. Vagnozzi to authorize advertisement for bidding for the Mennonite Road, Yeager Road and Vaughn Road paving projects. The motion passed unanimously 3-0.

SOLICITOR'S REPORT

a) Cider Mill Road Easement Resolution

Mr. Skypala suggested a proposed Resolution to acquire a small piece of the Pearson property to allow for a traffic light at the terminus of the Arcola Road Bridge.

Mrs. Mossie made a motion, seconded by Mr. Vagnozzi to adopt Resolution No. 2016-08. The motion passed unanimously 3-0.

SUPERVISORS COMMENTS

a) Park and Recreation Board Appointment

Mrs. Mossie motioned to appoint Shayla Arguoro to the Parks and Recreation Board vacancy. The motion passed unanimously 3-0.

ADJOURNMENT

There being no further business Mrs. Mossie made a motion, seconded by Mr. Vagnozzi, to adjourn the meeting at 9:27PM. The motion passed unanimously 3-0.

Respectfully Submitted By:



Timothy J. Tieperman, Township Manager/Secretary