

EXECUTIVE SESSION – 6:30 P.M. – Real Estate

BOARD OF COMMISSIONERS

**WORK SESSION
MONDAY, May 6, 2013**

7:00 P.M.

Presentation by Donald Pierce, CPA - 2012 Audited Financial Statements

Power point Presentation by Commissioner Siegel – Property Committee Update

Gordon Walker and Adam Matlawski, Esquire

Presentation by the Library – Renovation project

Public Hearings

Zoning Amendment – Farmers Market – Accessory use – 7:30 p.m.

Next Week Items – Discussion

Ordinance No. P6-2013	Parks, Playgrounds and Township Property - Alcohol Consumption (1st Reading)
Ordinance No. P10-2013	Traffic (2nd Reading)
Ordinance No. P11-2013	<u>(pending outcome of Public Hearing tonight)</u>
Ordinance No. P12-2013	Peddling & Soliciting (2nd Reading)
Ordinance No. P13-2013	Traffic (2nd Reading)
Ordinance No. P14-2013	Traffic (2nd Reading) Temporary Restrictions
Ordinance No. P15-2013	Traffic (1st reading)
Ordinance No. P16-2013	Graffiti (1st Reading)
Ordinance No. P17-2013	Animal Control (1st Reading)
Resolution No. 1886-2013	Reimbursement Resolution
Resolution No. 1887-2013	Subdivision – 1504 Steel Road
Resolution No. 1888-2013	Subdivision – 715 Woodland Drive

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Resolution No. 1889-2013

Subdivision – 326 Kenmore Road

Business Tax Settlement Agreement

Appointment of Bond Counsel

Proclamation – John Reynolds

Hilltop Civic Association

National Police Week and 2013 Police Officer of the Year Award

ORDINANCE NO. P6-2013

AN ORDINANCE OF THE TOWNSHIP OF HAVERFORD, DELAWARE COUNTY, PENNSYLVANIA, AMENDING AND SUPPLEMENTING ORDINANCE NO. 704, ADOPTED NOVEMBER 13, 1944, AND ORDINANCE NO. 1475, ADOPTED JUNE 15, 1972, AND KNOWN AS CHAPTER 126 "PARKS, PLAYGROUNDS AND TOWNSHIP PROPERTY," TO ADD LANGUAGE REGULATING THE DISTRIBUTION AND/OR CONSUMPTION OF ALCOHOLIC BEVERAGES ON AND/OR WITHIN THE PUBLIC PROPERTY OF THE TOWNSHIP OF HAVERFORD.

BE IT ENACTED AND ORDAINED by the Board of Commissioners of the Township of Haverford, Delaware County, Pennsylvania, and it is enacted and ordained by the authority of the same:

Chapter 126, Parks, Playgrounds and Township Property, Article I, Public Parks and Playgrounds of the Township of Haverford Code, Section 126-6, Distribution and/or consumption of alcoholic beverages, is hereby repealed in its entirety.

Chapter 126, Parks, Playgrounds and Township Property, Article I, Public Parks and Playgrounds of the Township of Haverford Code, Section 126-14, Distribution and/or consumption of alcoholic beverages, is hereby repealed in its entirety.

Chapter 126, is hereby supplemented to include Article III, Consumption of Alcoholic Beverages on Township Property, as follows:

§ 126-18. Purpose

This Chapter is intended to establish a uniform system of control over the consumption, and possession of alcoholic beverages on Township property.

§ 126-19. Definitions

The definitions set forth herein shall govern the application and interpretation of this Article.

A. "Township buildings" – Any buildings owned by the Township, including but not limited to the Community Recreation and Environmental Center, the Grange, Nitre Hall and Skatium, and the land and facilities appurtenant thereto.

B. "Township property" – Any property owned by the Township, including all Township buildings, fields, athletic fields, and parks, as well as any buildings erected thereon, but excluding "Township buildings."

C. "Alcohol" refers to beer, ale, wine or any other intoxicating liquor.

D. "Container" – Any glass bottle, metal can, plastic container, or any other device that may be used to hold liquids.

E. "Open Container" – A container other than one with an unbroken seal, or, containing a vacuum or pressure obtained during original bottling by a licensed bottler.

F. "Organizer" – Any person who seeks or obtains a permit for the use of Township buildings, including but not limited to the consumption and distribution of Township buildings.

G. "Persons" – A corporation, partnership, unincorporated association or any other legal entity.

H. "Possession" – Having alcohol in hand or on person, within immediate control, or relatively accessible for use.

§ 126-20. Distribution and consumption of alcoholic beverages on Township property or Township building

A. Except as permitted by this Ordinance, it shall be unlawful for any person to drink, distribute, consume or possess in an open container any alcoholic beverage on any Township property or in any Township buildings.

B. The distribution or consumption of alcoholic beverages is prohibited in Township buildings provided the person and/or organizer shall obtain a permit from the Township.

C. The distribution and/or consumption of alcoholic beverages is prohibited on any of the adjacent playfields, athletic fields, parks and playgrounds at the Community Recreation and Environmental Center.

§ 126-20. Consumption of alcoholic beverages in Haverford Township

A. It shall be unlawful for any person to consume beer, ale, wine or other intoxicating liquor or alcoholic beverage in or upon any public way or place open to use of the public as matter of right for purpose of vehicular and/or pedestrian travel.

B. The possession of any open container containing a beverage with any percentage of alcohol whatsoever in or upon the public ways or places of the Township of Haverford shall be prima facie evidence of consumption of such beverage in violation of this Article.

C. It shall be unlawful for any person to willfully consume beer, ale, wine or other intoxicating liquor or alcoholic beverage or possess an open container containing any of the above in or upon any privately owned parking area or shopping center parking area used for the general public.

D. Upon the written approval of and at the discretion of the Township Manager and/or his or her designee, these prohibitions shall be waived for festive occasions, holiday celebrations or other civic or promotional functions. Additionally, upon the written approval of and at the discretion of the Township Manager and/or his or her designee, law enforcement supervised Driving Under the Influence instructional classes shall be permitted.

D. All alcoholic beverages must be supplied by the renter and/or vendors. The Township or its representatives will not provide or sell any alcoholic beverages.

§ 126-21. Procedures for Obtaining a Permit

A. A person either on his own behalf, or on behalf of a group of persons, wishing to possess any alcoholic beverage while on Township property shall file with the Township Manager and/or his or her designee an application containing: (a) the name, address, and phone number of the applicant; (b) the hour, date and estimated duration of the possession; (c) the location of where possession will take place; (d) the purpose of the activity, if any; (e) the applicant's proposed arrangements to insure the safety of the public and the persons covered under the permit, and the prevention from damage of public and the persons covered under the permit, and the prevention from damage of public and private property.

B. The application shall be filed at least fifteen days prior to the possession. However, the Township Manager and/or his or her designee may waive this requirement if he determines upon receipt of the application that the applicant has satisfied satisfactorily the requirements of paragraph A.

C. The fees for applications shall be set forth in the Fee Schedule set forth in Chapter A187.

D. Official Action on the Permit

The Township Manager and/or his or her designee shall determine whether the applicant has:

1. Submitted a complete and accurate application;
2. The purpose of possession is within the intent or purpose of the ordinance; and,
3. That adequate arrangements to insure the safety of the public and persons covered under the permit, and the prevention from damage of public and private property have been provided for.

Upon consideration of all items in this Article, the Township Manager and/or his or her designee shall approve or disapprove the application no later than seven business days after receipt of the application. If the Township Manager and/or his or her designee fails to respond in the seven-day period, then the application shall be deemed granted, subject to whatever terms were contained in the application. If the application is disapproved and the permit is denied, the Township Manager and/or his or her designee shall provide written reasons to the applicant at the time of notification of disapproval of application and denial of the permit.

§ 126-22. Revocation of Permit

The Township Manager and/or his or her designee may amend or revoke a permit if it appears that the arrangements contained in the permit will no longer prevent injury to person or property because of a change in the circumstances under which the permit for possession was granted.

§ 126-23. Revocation of Permit

A person may appeal to the Board of Commissioner the denial of permit by filing a written notice within five days of denial of permit. The Board shall forthwith consider the appeal at a hearing at which the applicant may be present. The Board may affirm or reverse the Township Manager and/or his or her designee's decision, or attach such additional conditions to the permit as will, in their best judgment, protect the public safety and persons covered under the permit, and the prevention from damage or public and private property.

§126-24. Enforcement

The Police Department shall enforce the regulations hereinabove set forth and shall exercise general supervision over persons and property upon the public ways, places and parking areas.

§ 126-25. Violations and penalties

Any person, firm or corporation violating any provision of this Article III shall upon summary conviction before any Magisterial District Justice pay a fine not exceeding \$1,000.00 and costs of prosecution; and in default of one payment of the fine and costs, the violator may be sentenced to the county jail for a term of not more than 90 days. Each and every day in which any person, firm or corporation shall be in violation of this Article III shall constitute a separate offense.

SECTION 4. Repealer. Any ordinance or part of an ordinance to the extent that it is inconsistent herewith is hereby repealed.

SECTION 5. Severability. The provision of this ordinance are severable and if any section, sentence, clause, part, or provision hereof shall be held illegal, invalid or unconstitutional by any Court of competent jurisdiction, such decision of this shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this ordinance. It is hereby declared to be the intent of the Board that this ordinance would have been adopted if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

SECTION 6. Effective Date. This ordinance shall become effective 30 days following final adoption by the Board of Commissioners and publication as required by law.

ADOPTED this day of , 2013.

TOWNSHIP OF HAVERFORD

By: _____

Mario Oliva
President
Board of Commissioners

Attest: _____
Larry Gentile
Township Manager/ Secretary

ORDINANCE NO. P11-2013

AN ORDINANCE OF THE TOWNSHIP OF HAVERFORD, COUNTY OF DELAWARE, COMMONWEALTH OF PENNSYLVANIA, AMENDING AND SUPPLEMENTING ORDINANCE NO. 1960, KNOWN AS THE "GENERAL LAWS OF THE TOWNSHIP OF HAVERFORD", ADOPTED JUNE 30, 1986, FURTHER REVISING CHAPTER 182 (ZONING), ARTICLE VII, SUPPLEMENTAL REGULATIONS, BY ADDING PROVISIONS FOR FARMERS MARKETS AS AN ACCESSORY USE IN CERTAIN DISTRICTS AND COORESPONDING STANDARDS AND DEFINITIONS.

BE IT ENACTED AND ORDAINED by the Board of Commissioners of the Township of Haverford, County of Delaware, Commonwealth of Pennsylvania, and it is hereby enacted and ordained by the authority of the same that Ordinance No. 1960, Chapter 182, Article VII, Supplemental regulations, is hereby amended as follows:

ARTICLE I. AMENDED LANGUAGE

A. §182-106.B, Definitions is hereby amended by the addition of the following:

FARMERS MARKET

An outdoor retail market established to provide the seasonal sales of produce, herbs, eggs, meats, cheese and honey sold directly from the grower, harvester or producer of the said products, and certain prepared foods such as breads and baked goods or beverages including wine that are produced by the seller, for the sale to the general public. A farmers market may include sellers of handcrafted items if such sellers do not exceed ten percent (10%) of farmers market vendors.

B. Article VII, Supplemental Regulations is hereby amended by the addition of the following:

§ 182-731. Farmers markets.

The following shall apply to farmers markets:

- A. A farmers market, as defined in Section 182-106 of this Chapter, shall be permitted as an accessory, temporary use in any non-residential zoning district.
- B. An applicant seeking to operate a farmers market must obtain a permit from the Township Zoning Officer prior to such use. The permit application form shall be provided by the Township and must include: the name, address, telephone number and emergency contact number of the individual(s) who shall be responsible for managing the farmers market; the name, address, and telephone

number of each vendor; the type of commodity offered by each vendor; a plan that depicts the location of each vendor stall; and the proposed hours of operation of the farmers market. In the event that the applicant is not the legal or equitable owner of the property on which a farmers market is proposed, the applicant must submit written approval for such use on the property from the legal owner of the property.

- C. A farmers market may not be permitted to operate for more than two days in any given week, at any one time. An applicant may submit a single zoning permit application in order to utilize a property as a farmers market for multiple, disparate dates within a single calendar year.
- D. In the event that a farmers market will operate for more than a single day on a property, the applicant shall ensure that: vendor stalls and vendor goods are removed overnight.
- E. Each vendor space in a farmers market must be at least 10 feet in width.
- F. **Parking.** Two parking spaces shall be required for each 10 feet in width of vendor space. In the event that the farmers market is located on a property that has a principal use with days or hours of operation that do not overlap with the days or hours of operation of the farmers market, any parking spaces serving the principal use may be counted toward the required number of parking spaces for the farmers market. In the event that the farmers market is located on a property that has a principal use with hours of operation that overlap with the hours of operation of the farmers market, shared parking may be permitted only if the applicant can demonstrate that the parking provided will be sufficient for each use.
- G. No vendor stall shall be situated such that it interferes with any clear sight triangle.
- H. In the event that a farmers market will include more than 10 vendors, the applicant must provide event security and adequate traffic controls.

ARTICLE III. SEVERABILITY

Should any section, sentence, word or provision of this ordinance be declared by a Court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole.

ARTICLE IV. REPEALER

Any ordinance or part of ordinance to the extent that it is inconsistent herewith is hereby repealed.

ADOPTED this day of ,A.D., 2013

TOWNSHIP OF HAVERFORD

BY: MARIO OLIVA
President
Board of Commissioners

ATTEST: Lawrence Gentile
Township Manager

ORDINANCE NO. P15-2013

AN ORDINANCE OF THE TOWNSHIP OF HAVERFORD, COUNTY OF DELAWARE, COMMONWEALTH OF PENNSYLVANIA, FURTHER AMENDING AND SUPPLEMENTING ORDINANCE NO. 1960, ADOPTED JUNE 30, 1986, AND KNOWN AS "GENERAL LAWS OF THE TOWNSHIP OF HAVERFORD" CHAPTER 175, VEHICLES AND TRAFFIC.

BE IT ENACTED AND ORDAINED by the Board of Commissioners of the Township of Haverford, County of Delaware, Commonwealth of Pennsylvania, and it is hereby enacted and ordained by the authority of the same:

SECTION 1. That Section 175-78, Schedule III, One Way Highways, Ordinance No. 1960 be and the same is hereby amended and supplemented so as to REMOVE a "DO NOT ENTER SIGN" on the following highways:

On the 400 block of Sagamore Road, Monday-Friday, 7 am to 9 am from Wexford to Earlington Road

SECTION 2. Upon effective date of this ordinance, the Highway Department shall install appropriate signs in the designated section or zones giving notice of the regulations aforesaid.

SECTION 3. Any ordinance or part of an ordinance to the extent that it is inconsistent herewith is hereby repealed.

ADOPTED this day of , A.D., 2013.

TOWNSHIP OF HAVERFORD

**BY: Mario A. Oliva
President
Board of Commissioners**

**Attest: Lawrence J. Gentile
Township Manager/Secretary**

Resolution No. 1886-2013

**A RESOLUTION OF THE TOWNSHIP OF
HAVERFORD, DELAWARE COUNTY,
PENNSYLVANIA DECLARING OFFICIAL INTENT
WITH RESPECT TO REIMBURSEMENTS FROM
PROCEEDS OF BONDS, NOTES OR OTHER
INDEBTEDNESS OF TEMPORARY ADVANCES
MADE FOR CAPITAL EXPENDITURES, AND
RELATED MATTERS; PROVIDING FOR
SEVERABILITY; SETTING FORTH AN
EFFECTIVE DATE.**

WHEREAS, United States Treasury Regulation 1.150-2 (the "Regulation") prescribes conditions under which proceeds of bonds, notes or other indebtedness issued by political subdivisions, hereinafter referred to as "Bonds", will be deemed "spent" for the purposes of Sections 103 and 141 through 150 of the Internal Revenue Code of 1986, as amended (the "Code"), when used to reimburse advances made by such entities for capital expenditures paid before the issuance of such obligations, so that upon reimbursement the proceeds so used will not further be subject to requirements or restrictions as to unspent proceeds under those sections of the Code; and

WHEREAS, certain provisions of the Regulation require that there be a declaration of official intent within sixty (60) days after a capital expenditure expected to be reimbursed from proceeds of Bonds, and that the reimbursement allocation on the books or records occur within 18 months after the later of the day the expenditure is paid or the day the property is placed in service, but no later than three years after the expenditure is paid; and

WHEREAS, the Township of Haverford, Delaware County, Pennsylvania (the "Township of Haverford" or the "Township") desires to take all steps necessary for compliance with the Regulation in connection with future financing;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF HAVERFORD, THAT:

SECTION ONE. Definitions. The following definitions apply to the terms used herein:

"Reimbursement" or "reimburse" means the restoration to the Township of money temporarily advanced from its other funds and spent for capital expenditures (including any issuance costs) before the issuance of Reimbursement Bonds. Such terms do not include the refunding or retiring of Bonds previously issued and sold to, or borrowings from, unrelated entities (entities not in the same "controlled group" within the meaning of the Regulation).

"Reimbursement Bonds" means any issue of Bonds, all or a part of the proceeds of which the Township will use to reimburse itself for capital expenditures paid before issuance of the Bonds.

SECTION TWO. Authorization and Requirement of Declaration of Official Intent. The Township hereby declares its official intent to reimburse itself from the proceeds of Reimbursement Bonds for certain capital expenditures (including any costs of issuance of Reimbursement Bonds) with respect to the project described on Exhibit A (the "Project") paid within sixty (60) days prior to the date of this Resolution and to be incurred subsequent to the date of this Resolution. This Resolution is intended as a declaration of official intent under Treasury Regulation §1.150-2. The obligations to be incurred to finance the Project are expected not to exceed an aggregate principal amount of \$10,000,000. The appropriate officers of the Township are hereby authorized to take such actions as may be necessary to carry out the purpose of this Resolution. Pending issuance of the Bonds, the Township may finance the Project with other funds which will be reimbursed with the proceeds of the Reimbursement Bonds.

SECTION THREE. Officers to Take Actions. The appropriate officers of the Authority are hereby authorized and directed to take or approve the taking of such actions as may be necessary or appropriate in order to preserve the ability of the Township to finance its capital expenditures in accordance with the applicable federal tax requirements and this Resolution.

SECTION FOUR. No Sinking Fund. The Township will not, at any time within one year after allocation of proceeds of the Refunding Bonds to reimburse any expenditure, use the reimbursed funds to create a sinking fund for any issue of tax-exempt bonds or otherwise to replace the proceeds of any issue of tax-exempt bonds.

SECTION FIVE. Severability. If any provision of this Resolution is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining provisions of this Resolution.

SECTION SIX. Effective Date. This Resolution shall take effect immediately upon its adoption.

APPROVED AND ADOPTED, this 13th day of May, 2013.

TOWNSHIP OF HAVERFORD

By: _____

Mario Oliva
President
Board of Commissioners

Attest: Lawrence J. Gentile, Township Manager

EXHIBIT "A"

Description of the Project

The Project consists of: (i) design and construction of a new approximately 5,300 sq. ft. municipal vehicle maintenance building and appurtenances thereto located at the site Township public works yard; (ii) demolition of the existing Township police station and design and construction of a new approximately 42,000 sq. ft. police station and municipal administration building and appurtenances thereto located at or near the site of the existing Township police station; (iii) refunding of the Delaware Valley Regional Finance Authority \$5,000,000 Loan to the Township; and (iv) the payment of the costs and expenses related to the issuance of the Reimbursement Bonds.

RESOLUTION NO. 1887-2013

WHEREAS, the Minor Subdivision Plan for Joseph E. and Mary Audrey E. Klodarska, 1504 Steel Road, Haverford Township, Delaware County, and known as D.C. Folio Nos. 22-09-00092-00 (hereinafter referred to as "Parcel 'A'") and 22-09-02313-00 (hereinafter referred to as "Parcel 'B'") has been submitted to permit the existing Parcel "A", a 49,543 square foot lot to transfer 12,531 square feet to Parcel "B", creating a 62,074 square foot lot and a 36,979 square foot lot. The subject property is zoned R-4 Residential District, and is located in the 9th Ward. The aforesaid plans were prepared by Herbert E. MacCombie, Jr., P.E., Consulting Engineers and Surveyors, Inc., Broomall, PA, dated March 17, 2013; and

WHEREAS, the Planning Commission of Haverford Township at the public meeting of Thursday, April 11, 2013, did vote to recommend approval of the plans subject to the following recommendations and cited sections for the General Laws of the Township of Haverford:

1. Curbs currently exist in front of Parcel 'B'. Also, curb and sidewalk do exist on the south side of Steel Road. Substandard curbs and sidewalks will be replaced.
2. The Applicant will clarify the discrepancies between the deed and the calculated distances indicated for the east and west property lines for Parcel 'A'. Also, a copy of the deed(s) should be provided for review. (§160-4.G(2)[b])
3. Sight distance will be indicated for the existing driveway. (§ 160-4.E(5)[g](12))
4. An approved Pennsylvania Department of Environmental Protection Sewage Facilities Planning module or exemption is required. (§ 160-4.E(5)(d))
5. A separate and distinct permit and sewer connection is required for each individual building. (§149-3.C(6)) Also, the responsibility for maintenance of the existing lateral should be clarified.
6. The Shade Tree Commission will review all proposed landscaping.
7. A note will be added to the plan indicating a vertical separation in accordance with the Township Plumbing Code be provided between the existing sanitary sewer and proposed water service for Parcel 'A'.
8. Grading or other improvements are proposed within the dripline of the existing 14, 24 and 26-inch trees on Parcel 'A'. Also, proposed spread basin No. 1 at the northeast corner of Parcel 'A' is also within the dripline of an existing 24-inch tree. A note should be added to the plan indicating that trees damaged during construction will be replaced in accordance with the Township requirements.
9. The Township Solicitor should review all proposed easements.

10. A detail should be provided for the proposed sump box associated with spread basin no. 2.
11. If approved, a Grading, Drainage, Soil Erosion and Sedimentation Control Permit will be required for Parcel "A", which shall include:
 - a. A Drainage Plan Application & Checklist. (§78-25.A(6,7))
 - b. Field tests (i.e. double ring infiltrometer) to determine the appropriate hydraulic conductivity rate. (§78-34.B(2))
 - c. A BMP Maintenance Agreement shall be executed and a contribution of \$2,200.00 per lot to the Township Stormwater Control and BMP Operation and Maintenance Fund shall be made. (§78-49, §78-51)
12. The Applicant will verify that water runoff down the driveway will not overload the inlet.
13. The Applicant will adjust the grades at the rear of the proposed house to provide for positive drainage while minimizing the creation of sloped areas.
14. The Applicant will televise the existing sanitary sewer line and make repairs as needed.
15. The easement document will include appropriate language for the proper maintenance and repair of the sanitary sewer line.
16. Approval of the following waivers:
 - From §160-5.B(3)[j] regarding a minimum cartway width of 27 feet on Steel Road. The existing cartway width of Steel Road varies from 24 feet to 27 feet.
 - From §160-5.B(3)[j] regarding a minimum right-of-way width of 50 feet. The existing right-of-way width of Steel Road is 40 feet.
 - From §160-5.B(4)[a] regarding curbs on Steel Road at areas where no curb currently exists.
 - From §160-5.B(4)[a,c] regarding sidewalks on Steel Road.
 - From §160-5.B(4)[f] regarding street lighting on Steel Road.
 - From §160-5.B(3)[j] regarding a minimum cartway width of 27 feet on Bon Air Road.
 - From §160-5.B(4)[a] regarding curbs on Bon Air Road.
 - From §160-5.B(4)[a,c] regarding sidewalks on Bon Air Road.
 - From §160-5.B(4)[f] regarding street lighting on Bon Air Road.

WHEREAS, said plans have been submitted before the Board of Commissioners of the Township of Haverford for consideration in accordance with the Pennsylvania Municipalities Planning Code, Act 247, as amended, and pursuant to the Haverford Township Subdivision and Land Development Regulations, Ordinance 1960, Chapter 160, Sections 4. A and B.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Haverford, County of Delaware, Commonwealth of Pennsylvania, that the recommendations and findings of the Planning Commission are hereby adopted and Minor Subdivision Plan for Joseph E. and Mary Audrey E. Klodarska, 1504 Steel Road, Haverford Township, Delaware County, dated March 17, 2013, is **approved** subject to compliance with the recommendations described hereinabove.

RESOLVED this 13th day of May, 2013.

TOWNSHIP OF HAVERFORD

By: Mario A. Oliva
President
Board of Commissioners

Attest: Lawrence Gentile
Township Manager/Secretary

RESOLUTION NO. 1888-2013

WHEREAS, the Minor Subdivision Plan for Falcone Holdings, Ltd., Woodland Drive, Haverford Township, Delaware County, and known as D.C. Folio Nos. 22-02-01376-00 (Premises "A") and 22-02-01375-00 (Premises "B") has been submitted to transfer an eleven (11) foot strip of land from Premises "B" to Premises "A". The subject properties are zoned R-6 Residential District, and located in the 2nd Ward. The aforesaid plans were prepared by Herbert E. MacCombie, Jr., P.E., Consulting Engineers and Surveyors, Inc., Broomall, PA, dated February 14, 2013; and

WHEREAS, the applicants have not submitted revised plans as requested by the Planning Commission to show compliance with provisions of §182-720 of the General Laws of the Township of Haverford; and

WHEREAS, said plans have been submitted to the Board of Commissioners of the Township of Haverford for consideration in accordance with the Pennsylvania Municipalities Planning Code, Act 247, as amended, and pursuant to the Haverford Township Subdivision and Land Development Regulations, Ordinance 1960, Chapter 160, Sections 4. A and B.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Haverford, County of Delaware, Commonwealth of Pennsylvania, that the Minor Subdivision Plan for Falcone Holdings, Ltd., Woodland Drive, Haverford Township, Delaware County, dated February 14, 2013, is **DENIED** for noncompliance with the following:

1. §160-5.B(3)[j] of the General Laws of the Township of Haverford (hereafter the "General Laws".) A minimum right of way width of 50-feet and minimum cartway width of 27-feet is required for Woodland Drive. The existing right of way is 40-feet and the cartway width is 24-feet.
2. §160-4.G of the General Laws requires the proposed area and bulk requirements of the zoning district to be included on the plan. The information is missing.
3. §160-4.E(5)[e](4) of the General Laws requires existing utilities to be indicated on the plan. Existing utilities are not shown.
5. Notes referencing proposed construction (nos. 6 and 8) should be removed from the plan or the proposed construction should be shown. As the site contains steep slopes (exceeding 15% grade), the Planning Commission requested that proposed construction be illustrated on the plan, including any future subdivision of the lot, to assess impacts on the slopes. A revised plan was not submitted.

RESOLVED this 13th day of May, 2013.

RESOLUTION NO. 1888-2013

TOWNSHIP OF HAVERFORD

**By: Mario A. Oliva
President
Board of Commissioners**

**Attest: Lawrence Gentile
Township Manager/Secretary**

RESOLUTION NO. 1889-2013

WHEREAS, the Minor Subdivision Plan for John & Gail Reyer, 326 Kenmore Road, Haverford Township, Delaware County, and known as D.C. Folio Nos. 22-07-00848-00 has been submitted to permit the existing 12,500 square foot parcel to create two (2) 6,250 square foot lots. The subject property is zoned R-4 Residential District, and is located in the 3rd Ward. The aforesaid plans were prepared by Catania Engineering Associates, Milmont Park, PA, dated March 25, 2013; and

WHEREAS, the Planning Commission of Haverford Township at the public meeting of Thursday, April 25, 2013, did vote to recommend approval of the plans subject to the following recommendations and cited sections for the General Laws of the Township of Haverford:

1. The proposed building and impervious coverages for each lot should be verified. It appears that the proposed building coverage for each lot (31%) exceeds the maximum allowable for the R-4 Residential zoning district (30%). (§182-206.C(4)) The proposed impervious area coverage for each lot appears to be inconsistent with the plan.
2. One (1) 8-inch tree is identified to be removed. Tree replacement is required for removal of trees 6-inches in caliper or greater. (§160-5.B(2)(d)) The Shade Tree Commission should review all proposed landscaping and potential tree replacement.
3. An approved Pennsylvania Department of Environmental Protection Sewage Facilities Planning module or exemption is required. (§ 160-4.E(5)(d))
4. For all driveways exceeding six-percent (6%) in grade, a leveling area of not less than twenty (20) feet in length and not greater than four-percent (4%) in grade shall be provided at the end of the driveway at the street line. (Township Design Standards) It appears that a leveling area for Lot 1 exceeds the maximum four-percent (4%) slope.
5. Existing and proposed utilities should be indicated on the plan. Specifically, the electric and gas (if applicable) services should be identified. (§78-25.B(5))
6. Grading is proposed within the dripline of an existing 14-inch tree along the eastern property boundary. A note should be added to the plan indicating that damaged trees will be replaced.
7. The sanitary sewer cleanout for Lot 2 is located within the proposed driveway. A note should be added to the plan indicating that a traffic rated cover is required.
8. An existing utility pole is located within the proposed driveway apron for Lot 1.

9. A separate signature block should be provided for the Township Engineer. "Township Engineer" should be removed from the Commissioner's signature block.

10. The seepage bed detail indicates that only the rear roof drains are to be connected to the proposed stormwater facilities; however, it appears that roof drains at the front of the proposed dwellings also convey stormwater to the seepage beds. Please clarify.

Furthermore, if the front of the dwelling is proposed to be connected to the bed, it does not appear that adequate fall is provided.

11. If approved, a Grading, Drainage, Soil Erosion and Sedimentation Control Permit will be required for each lot which must include:

- a. Field tests (i.e. double ring infiltrometer) to determine the appropriate hydraulic conductivity rate. (§78-34.B(2))
- b. A groundwater recharge calculation is required. (§78-34)
- c. A water quality volume calculation is required. (§ 78-35)
- d. Peak rate control calculations are required. (§78-37)
- e. A drainage area map should be included with the stormwater management calculations.

Additionally, the Planning Commission recommends approval subject to the following conditions:

1. The plan must be adjusted to reflect rear patios rather than decks
2. The driveway located on Lot 1 must be reversed
3. Seepage beds must be moved to front yards and tie in the proposed downspouts
4. The applicant must address fence repairs with the neighbor located at 328 Kenmore Road.

WHEREAS, said plans have been submitted before the Board of Commissioners of the Township of Haverford for consideration in accordance with the Pennsylvania Municipalities Planning Code, Act 247, as amended, and pursuant to the Haverford Township Subdivision and Land Development Regulations, Ordinance 1960, Chapter 160, Sections 4. A and B.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Haverford, County of Delaware, Commonwealth of Pennsylvania, that the recommendations and findings of the Planning Commission are hereby adopted and Minor Subdivision Plan for John & Gail Reyer, 326 Kenmore Road, Haverford Township, Delaware County,

dated March 25, 2013, is **approved** subject to compliance with the recommendations described hereinabove.

RESOLVED this 13th day of May, 2013.

TOWNSHIP OF HAVERFORD

By: **Mario A. Oliva**
President
Board of Commissioners

Attest: **Lawrence Gentile**
Township Manager/Secretary