

**SPECIAL HEARING
EAST NOTTINGHAM TOWNSHIP
BOARD OF SUPERVISORS
SUBDIVISION ORDINANCE
JULY 29, 2004**

A public hearing was held by the Board of Supervisors on Thursday, July 29, 2004 at 7:00 PM at the Township Building located at 158 Election Road, East Nottingham, Oxford, Pennsylvania. The purpose of the hearing was to present the proposed amendments to the East Nottingham Township Zoning Ordinance and Zoning Map and to receive public comment concerning those proposed changes.

Present were Supervisors Samuel Goodley, Jr., Thomas Olivieri, Charles Shelton, Township Engineer Ronald Ragan, Township Planner, David Sweet, Township Solicitor Winifred Moran Sebastian and approximately 60 members of the public.

Chairman Goodley opened the meeting at 7:00PM. Solicitor Sebastian moderated the hearing from that point on. She announced the purpose of the hearing was to present the content of the proposed Ordinance amendments and Map changes as well as to receive public comment on them. She provided for the record a Proof of Publication of the advertising of the hearing on July 15, 2004 and July 20, 2004 in the Daily Local News. The County Planning Commission review letter showing that the proposed amendments were forwarded to the Chester County Planning Commission for their approval on June 8, 2004, which showed the review by the County Planning Commission including the Map Change review letter. Minutes of the East Nottingham Township Planning Commission meeting on June 28, 2004 were entered into the record showing that the amendments were forwarded to that agency by that date. A letter from the Township Planning Commission Chairman concerning their actions on the proposed amendments on July 26, 2004 was also made a part of the record. An affidavit of Posting the areas in the Township was made part of the record, as well as a Certificate of Mailing of the Notice to all owners whose property would be impacted by the Map change.

The Chairman, Planner and Engineer for the Township then presented the elements of the proposed Zoning Ordinance and Map change. The hearing was then opened to the public or public comments and questions. The following individuals raised the following questions or made the following comments:

Jack Bachman- asked who is responsible for maintaining the areas marked for Recreational Facilities and Trails , who will carry the liability on them and the ownership?

Township Planner, David Sweet responded, this will go through the common Open Space portion of the site. They will be in the ownership of the Homeowners Association. There will be an easement which will guarantee public access. The Homeowners

Association will have the maintenance responsibility. As far as liability, I will have to refer to Winnie Sebastian for that answer.

Margaret Ronallo: Fees, what kind of fees and how will they be determined?

Township Planner, David Sweet responded, the amount of the fee will not be in the Ordinance, it will be passed by resolution by the Board of Supervisors. The Residential section has two numbers. If coming in under the Retained Open Space Development, fee will be \$1,000. per dwelling unit. If it's a standard, more conventional development with not much open space provided, the fee will be \$1,250.. 250 sq. ft. of Recreational Land or 500 sq. ft. of gross leaseable land in development or \$1.00 per sq. ft. of gross leaseable area .

William Duffy: Has anyone said this will be a fairly hefty tax hike? In any subdivision There are lost and roads and that's it. If you're going to give land, you get the fee if you don't put the land in, the Township is not liable. I'm not sure what we're buying here, but it's all being put on the Developers and the Homeowners.

Teri Rigby: When will the fee go into effect?

Solicitor Sebastian responded, fee will go into effect when once the Ordinance is in effect and a development comes in under the amendments.

Township Planner responded, also, if the Board sees fit to adopt the Ordinance, they will presumably adopted the Resolution, setting the fee at that time.

Teri Rigby: Do you have a copy of the map of the Trails?

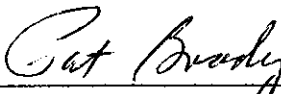
Township Planner, David Sweet responded, there aren't any maps yet. As a site comes in then it would be specified.

Teri Rigby: Do you see the Trails going through housing developments already developed?

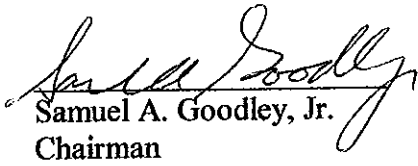
Township Planner, David Sweet responded, it doesn't matter what I see
Chairman, responded, I haven't thought about that question

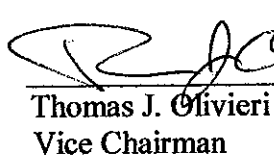
Motion to adjourn the meeting at 7:20 by Chairman, Samuel Goodley, Jr.. Next one starts at 7:30 p.m..

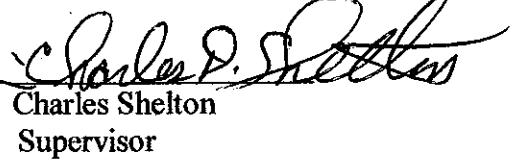
Respectfully submitted,


Pat Brady, Secretary

Date 9/13/04


Samuel A. Goodley, Jr.
Chairman


Thomas J. Olivieri
Vice Chairman


Charles Shelton
Supervisor