

Upper Providence Township  
Planning Commission  
Regular Meeting  
September 27, 2021

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The Upper Providence Township Planning Commission held its regular monthly meeting on Monday, September 27, 2021 in the Township Council Room. Mr. Solomon called the meeting to order at 7:00 PM and led the Pledge of Allegiance.

PC members present were, Vice-Chairman Joseph Solomon, Patrick Conboy, Joseph Maylish, Andrew Serota, Bob Tull and James Zaccaria. Also present: James P. Kelly, Engineer, Carl Ewald, Solicitor, Gregory Lebold, Township Manager and Kim McCloskey, Administrative Assistant.

Not Present: Chairperson Jackie Larkin

**Approval of Minutes**

Mr. Tull made a motion seconded by Mr. Conboy to approve the meeting minutes of July 26, 2021.

Mr. Conboy	Yes	Mr. Solomon	Yes
Mr. Maylish	Abstain	Mr. Tull	Abstain
Ms. Serota	Yes	Mr. Zaccaria	Yes

Motion passed 4-0; 2 Abstained

**Public Comments and Questions**

Chris Dolan, 32 E. Rose Tree Road and another neighbor voiced concerns regarding the proposed Sunoco.

**Communications**

The Township Engineer explained the Eastern Service Area Act 537 Plan Update. He summarized the four options that are being explored. The Planning Commission asked that the Sewer Authority review the Plan and give their comments before sending to Council.

**Special Reports by Officers or Committees**

None

**Old Business**

None

**New Business**

**240 Foxcatcher Lane - Conditional Use - Disturb Steep Slopes**

James Byrne, Attorney for Applicant, Darryl Cilli, Applicant, Andrew Defonzo, Engineer and Sam Kim, Architect were present to describe the project.

Mr. Byrne initiated the presentation and introduced the property owner, Darryl Cilli. Mr. Cilli informed the Board that when he bought the property in 2019, there was a house with a huge flat open space. Mr. Cilli noted that the previous homeowner had taken down several trees and had undertaken significant grading. Mr. Cilli is applying for conditional use in order to put in a non-lighted tennis court for his family. The area that he is proposing putting it in no longer has steep slopes due to what the prior owner had completed.

Mr. Cilli has recently installed an in-ground pool and a pool house and kept the dirt to use for the proposed tennis court instead of trucking it off the property. This may have caused some additional run off to the neighbors. They installed a large underground seepage bed when they installed the pool and house. Their goal is for this not to affect any of the neighbors. They are proposing another large seepage bed for the tennis court.

The Delaware County Conservation District sent notices to the contractor that the property had not been properly stabilized, which Mr. Cilli has corrected. The construction entrance that was built for the pool and pool house construction will be removed and the area restored when the project is completed.

None of the slopes are being disturbed beyond what is permitted by the performance standards for steep slopes. The steep slopes were already disturbed by the prior owner. There is no need for zoning relief.

Todd Culp, 211 Timberjump Jackie Harker, 220 Foxcatcher Lane; Drew Martin, 201 Timberjump, voiced concerns about the flow of water during major rain events and whether or not the water basins will meet the standards. The neighbors had no objection to the installation of the tennis court as long as the appropriate storm water improvements are made.

Mr. Solomon made a Motion, seconded by Mr. Conboy to recommend approval of the conditional use to Council conditional upon satisfaction of the Township Engineer's and the Conservation District concerns.

Mr. Conboy	Yes	Mr. Solomon	Yes
Mr. Maylish	Yes	Mr. Tull	Yes
Mr. Serota	Yes	Mr. Zaccaria	Yes

Motion Passed 6-0

**Adjournment**

With no further business to conduct Mr. Solomon adjourned the meeting at 8:19 PM.

Submitted by:

**Kimberley McCloskey**

Kimberley McCloskey  
Administrative Assistant