

# Swarthmore Planning Commission

## Meeting Minutes

Meeting Date June 15, 2022

Commission Attendees	Chris DeBruyn – Chair, Acting Secretary	<del>James Levine</del>
	David Virgil - Vice Chair	<del>Elizabeth Jenkins</del>
	Steve Minton	Douglas Perry
	<del>Nancy Templeton</del>	Doug Harnsberger
	<del>Don Jones</del>	John MacCallum
	Rex Brien	

Also in Attendance Kristen Seymore Borough Council Liason  
Bill Web Borough Manager

Meeting Location Borough Hall Council Room

- C. DeBruyn called the meeting to order at approximately 7:42 PM
  - **Agenda Item 1** – Approval of March meeting minutes
    - So moved, seconded and approved.
  - **Item 2: Committee reports**
    - **EAC** – No report
    - **Traffic** – No Report
    - **UCC Appeals** – No report
    - **ZHB** – No report
    - **Environment** – No Report
    - **Planning & Zoning** – No report
    - **Public Safety** – No report
    - **Public Works** – No Report
    - **Affordability Task Force** – No Report
  - **Item 3: Discussion of potential review and update of borough ordinances.**
    - Chris described the current method of managing ordinance conflict resolution, and some other potential methods:
      - Current method is to review issues as they are discovered in use, update if appropriate.
      - Potential method – Professional consultant to update ordinances globally
        - Pro: bulk update, probably easier to pass through borough council, professional guidance.
        - Con: may lose some of the code items that maintain Swarthmore’s unique qualities. Cost.
      - Potential method – organized review of code by PC, and scheduled discussions of potential updates.
        - Pro: Maintain closer control of any changes to the code.
        - Con: Time consuming and workload for PC, Code does not operate as discrete units, many parts interact. Caution required.
      - General thought: Most changes to the language will change the effect of the code somewhat, even just eliminating conflicting language will make

- the code more prescriptive and less flexible. This needs to be considered as part of the discussion.
- This process should not change the effect of the codes. – the intent of this process should be to change the effect of the code language as little as possible, while improving readability and reducing jargon, boilerplate, and conflicting language and adding definitions for uncommon usages.
- Changes to the effect of the code, either adding elements, or changing levels of prescriptiveness or any other changes to the effect of the language should not be a part of this process.
- Changes to the effect of the code should continue to be driven by the current processes.
- Comments:
  - Borough Council is also discussing this topic, considering the idea of engaging a professional to review and update the codes.
  - Rex: Having a code expert sounds appropriate. No section of the code stands alone, all interact. Should PC review the code in an organized manner to identify problem areas while discussion continues at BC?
  - David: perhaps there is a choice in between DIY and full consulting?
  - Rex: Delaware County Planning department can likely provide assistance.
  - Chris – uncomfortable with full consulting process due to cost and reduced control.
  - John – definition of goals for the process might assist in maintaining control of the end product.
  - Chris – an organized process, with scheduled presentations on code sections assigned to individual or teams of PC members, who would provide a report with:
    - List of issues
    - Proposed changes
    - Effects of those changes.

**Other Topics:**

- Discussion of Meeting minutes for the conditional use approval meeting:
  - Doug H:
    - Did not see the approved minutes from the conditional use meeting, and wanted to extend the minutes with a transcript from the meeting.
  - Vote: Motion and vote to provide borough council with a transcript of the meeting passes. Doug H agreed to organize and forward that information to borough council.
- Discussion of Ethics:
  - Rex:
    - State law provides for some penalties for ethics violations, which PC members may inadvertently trigger. An ethics code should probably be provided to inform Swarthmore town officials. Most surrounding towns and boroughs have some form of code of ethics.
- Discussion of Chris' May 1 letter to Borough Council regarding the conditional use application.
  - Rex:
    - Stated in an email and in the meeting that the letter seemed to be an attempt to “nullify the PC’s majority vote by suggesting, *inter alia*, that the majority members did not understand the zoning code.”
    - Noted a statement in the letter: “*If the applicant is required to prove that there is not a significant loss, they are being asked to prove a negative. This is not a reasonable requirement. The onus should therefore be on the borough to prove that there is a “substantial negative effect on the*



**NEXT MEETING:**

The next scheduled meeting is scheduled for Wednesday July 20, 2022 at Swarthmore Borough Hall

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End of Meeting Minutes