

1 BEFORE THE ZONING HEARING BOARD
2 OF THE TOWNSHIP OF WILLISTOWN
3 CHESTER COUNTY, PENNSYLVANIA

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IN RE:

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**RESOLUTION CONCERNING THE
RECORDINGS OF HEARINGS**

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Said hearing held via remote video
conferencing of all participants, on May
18, 2021, beginning at 7:38 o'clock, p.m.

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BEFORE: DONALD MANCINI, Chair
ROBERT A. DELUCA

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ALSO PRESENT:

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ROBERT SMILEY,
Zoning Officer

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APPEARANCES:

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STACEY L. FULLER, Esquire
on behalf of the
Zoning Hearing Board

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ELEANOR J. SCHWANDT, RMR
COURT REPORTER

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1 THE CHAIR: All right.
2 Good. We are going to proceed first
3 with the resolution, which doesn't
4 really affect the parties but affects
5 the Board.

6 It was brought to our
7 attention that the township had been
8 recording the hearings, and the problem
9 with that is it then creates two
10 records. Well, there can only be one
11 record, and the record has to be the
12 record that the court stenographer
13 makes.

14 There is a resolution that
15 was drafted where -- and I'm not sure
16 what it says, but, Madam Solicitor, you
17 have it?

18 MS. FULLER: I do.

19 THE CHAIR: Who has to sign
20 it, electronically, me and Mr. DeLuca,
21 saying we have got to destroy this
22 prior record?

23 MS. FULLER: Right. So it
24 will be the Board that signs it. It

1 will be the two of you since Mr. Flynn
2 is not here this evening. And it
3 provides that all recordings shall be
4 maintained only until the official
5 transcript is received by the Zoning
6 Hearing Board, and then further
7 provides that the township shall
8 destroy all of the recordings for the
9 prior applications during this virtual
10 hearing time from Z-1-20 through
11 Z-1-21, and that thereafter they shall
12 be destroyed upon receipt of the
13 official transcript.

14 Now, I have directed, at the
15 request of the Board, I have told the
16 township that these meetings should not
17 be recorded to begin with, so I don't
18 think there will be any future
19 recordings. And the effect of this
20 resolution is to have those that have
21 been recorded destroyed, because we do
22 have the transcripts for all of those
23 prior hearings.

24 THE CHAIR: So we are not

1 being recorded tonight then?

2 MR. SMILEY: That is
3 correct. You are not being recorded.

4 THE CHAIR: So that the
5 parties understand, everything we do in
6 front of the Zoning Hearing Board there
7 is a record of, and there can only be
8 one record, in case there is an appeal.
9 And you can't have two records. And
10 Ms. Schwandt is the court reporter.
11 She is going to take down everything
12 that's said, including what I'm saying
13 right now, and that's the record.
14 That's the official record. So
15 anything else is, frankly, superfluous
16 and confusing.

17 Madam Solicitor, do we have
18 to do anything else on that issue?

19 MS. FULLER: No. Just a
20 motion and a second to approve the
21 resolution.

22 THE CHAIR: All right. I
23 move. Mr. DeLuca, can you second?

24 MR. DELUCA: I second.

1 THE CHAIR: Thank you. All
2 in favor?

3 MR. DELUCA: Aye.

4 THE CHAIR: Aye. Thank you.

5 MS. FULLER: Thank you.

6 Thank you very much. We will go ahead
7 and affix your electronic signatures to
8 the resolution and send it over to the
9 township so that they have a copy.

10 (Proceedings conclude at
11 7:40 o'clock, p.m.)

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1 Commonwealth of Pennsylvania)
2 Chester County)

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5 CERTIFICATE OF REPORTER

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7 I, Eleanor J. Schwandt,
8 Registered Merit Reporter and Notary
9 Public, do hereby certify that the
10 foregoing record, pages 1 to 5 inclusive,
11 is a true and accurate transcript of my
12 stenographic notes taken on May 18, 2021,
13 in the above-captioned matter.

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15 IN WITNESS WHEREOF, I have
16 hereunto set my hand and seal this 20th
17 day of May, 2021.

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Eleanor J. Schwandt

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