

**LONDONDERRY TOWNSHIP (LDT)
BOARD OF SUPERVISORS' (BOS I) MEETING MINUTES
TUESDAY, MAY 08, 2018**

CALL TO ORDER: Supervisors Lou Simone and Richard Brown were in attendance. Lou Simone opened the meeting at 7:36 PM in the Municipal Building.

Close BOS I Meeting to hold Ag. Security Hearing: Time: 7:37 PM

COHEN AGRICULTURAL SECURITY AREA HEARING

OPEN HEARING: Parcel #46-03-0053 (15.0 Acres)

Lou Simone read the Procedures and Documentation as follows:

1. Application submitted by property owner(s). **03-08-2018**
2. Acknowledge receipt of proposal at Board of Supervisors (BOS) meeting. **03-13-2018**
3. Provide notice of proposal in Daily Local Newspaper (1 time). **Published 03-16-2018.**
4. Post notice in five (5) conspicuous places within LDT and adjacent or near proposed Ag. Sec. Area:
 - a. Delaware Equine Center
 - b. Manor Presbyterian Church
 - c. Carmar Farms
 - d. Canine Partners for Life
 - e. Near proposed property
 - f. Township Message Box near front door.
5. After publication of Notice in newspaper, send proposal and any proposed modifications to the Chester County Planning Commission (CCPC) AND the Agricultural Security Area Advisory Committee (ASAAC) **03-22-2018 Letter sent. (No modification proposals received).**
6. CCPC and ASAAC have 45 days to review the proposal and report recommendations. If no response after 45 days the proposal is deemed to constitute approval. **No letter received as of this date, thus deemed approved.**
7. After the review period LDT must hold a public hearing at the Municipal Building. **Hearing Scheduled for 05-08-2018 at 7:30 PM (Scheduled at BOS I Meeting on 04-10-2018)**
8. At least seven (7) days prior to the BOS Hearing a Hearing Notice must be published in the Daily Local newspaper (1 time). **Published on 04-27-2018.**
9. A written Hearing Notice must be sent to landowners who proposed modifications or whose land is included in the proposed modifications. **No Modifications were proposed, thus no letter sent.**

10. A written Hearing Notice must be sent to all landowners adjacent to the applicant(s) proposed Ag. Sec. Area property. **Letters Mailed 04-20-2018**
11. Hearing notice posted at LDT. **In LDT Message Box near front door.**

COMMENTS FROM THE PUBLIC: Mr. Sander Cohen was in the audience and asked if an Easement isn't secured, can he back out of the Ag. Security Agreement? Richard Brown responded "Yes".

BOS DISCUSSION: None

CLOSE HEARING: Time: 7:39 PM

Lou Simone made a **MOTION** to close the Ag Security Hearing and reopen the BOS I Meeting. Richard Brown seconded the motion and the vote was 2-0 in favor.

Lou Simone made a **MOTION** to accept one (1) Parcel #46-03-0053 of approximately 15.0 Acres to be placed into the Agricultural Security Area. Richard Brown seconded the motion and the vote for approval was 2-0.

RESOLUTION #02-2018 – Addition to Londonderry Township Ag. Security Area: Lou Simone read the Resolution in its entirety. Lou Simone made a **MOTION** to approve Resolution #02-2018 and Richard Brown seconded the motion. The vote was 2-0. Both Supervisors signed the document and Secretary Janice Hearne witnessed.

PUBLIC COMMENTS: Rob Linnenbaugh, Cochranville Fire Company (CFC) Chief, was recognized. He thanked the Township for their assistance through the years. The CFC continues to fund raise and seek grants to provide upgrades in equipment and training. CFC has purchased 25 new air packs at a cost of more than \$100,000 and in April underwent rigorous training in Londonderry Meadows. It was noticed that the fire hydrants in Londonderry Meadows did not have the anticipated water flow. Therefore, the CFC has been attempting to secure the flow specifications from Chester Water Authority (CWA), but with no success. This information is imperative so that the fire company knows the amount of water available and can plan for a secondary water source (stream or pond) should one be needed. He noted CFC will use one hydrant in Londonderry Meadows, but will need a flow rate of at least 750 gallons/minute. If the flow is less than 750 gallons/minute a secondary plan will be necessary. Mr. Linnenbaugh requested the Township contact CWA for a flow test on LDT hydrants (especially New Daleville, Honeycroft and Londonderry Meadows). Lou Simone responded he would contact CWA to schedule flow tests. The BOS thanked Mr. Linnenbaugh for coming and, on behalf of the Township, expressed their appreciation for all the Fire Company does for our citizens.

BOS I MEETING MINUTES - APRIL 10, 2018: Lou Simone made a **MOTION** to approve the Minutes from April 10, 2018 as presented. Richard Brown seconded the motion and the vote was 2-0 for approval.

TREASURER'S REPORT - APRIL, 2018: The Supervisors reviewed the April Treasurer's Report as submitted by Treasurer Alison Emmons and found it to be in order. Mrs. Emmons explained there was a misunderstanding with Chester County regarding the Open Space parcel in Londonderry Meadows and LDT was forced to pay the Real Estate Taxes. Stacey Fuller is working on remedying the situation.

PLGIT INFORMATION – CURRENT RATES: Lou Simone and Allison Emmons met the PLGIT personnel at the PSATS Conference. They were informed that LDT must pass an ordinance prior to being included into the fund which is 100% insured for municipalities. Mr. Simone discussed this issue with Stacey Fuller and she will research any past concerns. Mrs. Emmons noted our savings currently pays .4% interest while PLGIT pays 1.89% for 60 day or longer term investments. Once any issues are resolved, Mrs. Emmons reported a PLGIT employee will come to the Township and assist with the paperwork.

CD RENEWAL – National Bank of Malvern: Mrs. Emmons noted the updated CD rate was now .396% while previously it was .425%. The BOS agreed to wait to reinvest the CD until the next BOS meeting in June.

BRANDYWINE CONSERVANCY MEMBERSHIP – Renewal: This is an automatic renewal and does not require BOS approval.

TOWNSHIP REPORTS:

A. ZONING OFFICER / BUILDING INSPECTOR REPORT – APRIL, 2018:

Lou Simone read from Bill Beers' April Report as follows: Five (5) building permits were issued; one (1) building permit is pending; one (1) shed permit was issued; and four (4) exempt stormwater permits were issued. Total permit fees collected were \$3,840.50. Six (6) Use and Occupancy permits were issued which included two (2) re-sale/rental U & O permit and eight (8) various construction inspections were conducted. Census Form C-404 and the Chester County Permit Summary were submitted. Mr. Beers continues to monitor the Eastern Shore Natural Gas (ESNG) site road dirt problems. He issued an Enforcement notice to the owner of 2125 Gap Newport Pike for a junkyard. The property owner initially began to remove the vehicles, but has requested an extension of time (approximately June 1, 2018) if the removal of all vehicles is not complete. Mr. Beers prepared a Civil Complaint for Miguel Morales regarding failure to obtain a rental inspection and operating a rooming house without zoning approval. A copy of the Complaint was forwarded to Stacey Fuller. The "Old Daleville Store" owner's son is evaluating buying the property from his father. He has obtained all zoning Ordinances required to convert the property into a two family home.

B. ROADMASTER: On May 05, 2018 Darryl King conducted street sweeping operations in New Daleville and Country Walk. Lou Simone and Mr. King

will meet on Thursday to evaluate Hilton Road and Faggs Manor Road at Manor Church.

- C. EMERGENCY MANAGEMENT (EM):** The Township received the Ag. Spill Response Preparedness Information from Chuck Freese (aka Cochranville Ag. Service, 318 Faggs Manor Road, 12-22-2017).
- D. PLANNING COMMISSION (PC):** The PC met April 17, 2018. Regarding the proposed subdivision located in both Highland and LDT (Glenville Farms) the PC voted to “recommend conditional approval to the BOS pending a positive review recommendation from Spence Address prior to the next BOS I Meeting on May 8th”. The PC also voted to “support the (Honeycroft Village) reduction in side yards set back which is 10 ft minimum to a 5 ft. minimum per unit pending a satisfactory resolution to Fair Share and stormwater management issues”.
- E. OPEN SPACE COMMITTEE (OSC):** The OSC did not meet in April, but Richard Brown explained that the OSC and LDT are contemplating purchasing the development rights to the Cohen Rt. 41 and White Horse Road property in conjunction with the Brandywine Conservancy and Chester County Conservation District. The next OSC meeting is scheduled for Wednesday, June 20th at 5:30 PM.
- F. HISTORICAL COMMITTEE (HC):** The Historical Committee met on Tuesday, April 24th and the next HC meeting will be on May 22, 2018 at 7:00 PM..
- G. WEBSITE:** The website continues to be updated on a regular basis.

OLD BUSINESS:

- A. LAWYER R-T-K REQUEST (New Daleville HOA Re: Sidewalks & Trees):** Stacey Fuller and Lou Simone met in LDT on 05-08-2018. They reviewed several documents. Their combined opinion is that the New Daleville HOA is clearly responsible for the sidewalks. Mrs. Fuller will communicate this to the R-T-K requestor.
- B. FERNWOOD ROAD TRACTOR TRAILER TRAFFIC COMPLAINT:** Lou Simone noted PennDOT had been contacted and is aware that Fernwood Road at Rt. 41 is not adequate for tractor trailer traffic. Consequently PennDOT will install signs in both directions on Rt. 41 alerting trucks to not use this road. LDT will install a sign on Fernwood as a backup should a truck make a mistake. Richard Brown will get in touch with Tom Scott in Highland and suggest a sign be erected on the Highland side as well.
- C. HILTON ROAD IMPROVEMENTS – Shared by LDT & Penn Twp:** Mr. Simone explained that Hilton Road to 3039 White Horse Road is a state road and maintained by PennDOT. However there is a 500 ft. section which is the responsibility of both LDT and Penn Twp. This section has concerns and will be inspected by Lou Simone and Darryl King this week to determine the repairs needed.
- D. GLENVILLE FARMS SUBDIVISION:** Jim Fritsch, Register Civil Engineer, explained the subdivision was located at 650 Gum Tree Road on 114.56 acres, including a house, garage, barns, spring house, with 104 acres in

Highland and 9 acres in LDT. The parcel in LDT is land locked. The subdivision proposal is for a three (3) lot subdivision: Lot 1 consists of the house, garage, and barn; Lot #2 has barns and will be farmed; and Lot #3 will be for farming only. Excluding the driveway around Lot #1, all of the land is in CC Land Preservation. Spence Andress had issued a review letter dated April 27, 2018. Mr. Fritsch referenced the third paragraph in which Mr. Andress requested two (2) notes be added to the plans as well a gas line easement must be delineated on the plans. Mr. Fritsch noted all three of these recommendations had indeed been incorporated into the plans. Apparently Bill Beers had also submitted comments and these were addressed as well. Mr. Fritsch added that he and his colleagues had appeared before the Highland BOS prior to this meeting and Highland had granted final plan approval. Lou Simone made a **MOTION** to approve the Glenville Farms final subdivision plan with modifications recommended by Spence Andress. Richard Brown seconded the motion and the vote was 2-0 for approval.

- E. BRIDGE INSPECTION – Fernwood Bridge:** Alison Emmons explained Highland had confirmed they had received a copy of the bridge report. It was suggested that the BOS for both Townships get together to resolve the bridge concerns. Lou Simone asked that Darryl King contact Highland regarding the letter and how to proceed. Richard Brown said that at present the bridge is in compliance.

NEW BUSINESS:

- A. HONEYCROFT VILLAGE SIDE YARD SET BACK REDUCTION:** As there are unresolved issues regarding Honeycroft set backs, the BOS will defer this topic until the next BOS meeting. It was reported that Brian Campbell and Rob Linnenbaugh had talked regarding water hydrant flow as well as set back adjustments. This item will remain on hold until the next meeting.
- B. INVITATION TO SCCEMS ANNUAL MEETING – Wednesday, June 27th, 7:00 PM, Jennersville Hospital:** SCCEMS has asked for a LDT representative to attend this meeting. Lou Simone volunteered. Secretary Hearne will RSVP for him.
- C. MINDY ACRES RETENTION BASIN:** Dick Brown noted the retention basin maintenance is the HOA's responsibility. He suggested Secretary Hearne supply the contact information for the Township's engineer to the HOA. The HOA will be responsible for the cost of the consult and repairs.
- D. GAWTHROP GREENWOOD ACTION ALERT:** This alert was forwarded to the Township referring to the Act 167 Stormwater Management Act. Governor Wolf signed into law Act 15 of 2018 which amends Act 167 requiring municipalities to modify their ordinances based on the addition of an exemption regarding high tunnels used in agricultural applications. High tunnels are generally a structure covered with plastic or woven textile or other flexible covering. Secretary Hearne will forward this information to David Sweet for his review and information.

E. GLENVILLE FARMS SUBDIVISION: This topic was discussed previously in this meeting. See Old Business Item D.

ANNOUNCEMENTS / CORRESPONDENCE:

- A. OFFICE CLOSED – Election Day, TUESDAY, May 15, 2018**
- B. OPEN SPACE COMMITTEE: WEDNESDAY, MAY 16 , 2018 at 5:30 PM**
- C. PLANNING COMMISSION MEETING: WEDNESDAY, MAY 16, 2018 at 7:30 PM. TASK FORCE MEETING immediately following PC Meeting.**
- D. HISTORICAL COMMITTEE: TUESDAY, MAY 22. 2018 at 7:30 PM.**
- E. OFFICE CLOSED – MEMORIAL DAY: MONDAY, MAY 28, 2018.**
- F. BOS II MEETING: Monday, MAY 29, 2018 at 7:30 PM.**
- G. BOS I MEETING: Tuesday, JUNE 12, 2018 at 7:30 PM.**

PAY BILLS: Bills were reviewed and paid in the usual manner.

ADJOURNMENT: As there was no further business before the BOS a **MOTION** was made by Louis Simone and seconded by Richard Brown to adjourn the meeting at 8:45 PM. The vote was 2-0 in favor.

Respectfully submitted,

Janice H. Hearne
Administrative Secretary