

August 14, 2013

The regular meeting of the Honey Brook Township Board of Supervisors was called to order at 6:36 p.m. Supervisors Joe Fenstermacher, Tracy Olsen, and John McHugh were present, as was Township Administrator Antoinette Antonini and Township Engineer Michael Reinert.

In accordance with Resolution 2-2012, it was announced that Scott Stilson, Vincent Drive, was recording the meeting.

**Consent Agenda**---Minutes of July 10<sup>th</sup>; bills/receipts; treasurer's report.

John McHugh made a motion, seconded by Tracy Olsen, to approve the Consent Agenda. All in favor; motion carries.

Joe Fenstermacher asked what the \$885 expense for Brandywine Conservancy was; Toni Antonini stated that they are the planners for the Township and the charge was for their review and report on the Tabas Tract subdivision plan.

**Treasurer's Report as of July 30, 2013**

Assets--Gen Fund	\$1,176,021.14	General Fund Receipts	\$52,213.93
Assets--Cap Reserve	\$1,013,979.00	General Fund Expenditures	\$170,368.77
Assets--Op Reserve	\$350,374.86	Cap Reserve Receipts	\$26,001.49
Assets--State Fund	\$429,492.31	Cap Reserve Expenditures	\$6,820.96
Assets--Land Pres	\$173,085.83		
Assets--Land Pres Fund	\$1,234,021.76		
<b>Total Assets</b>		Op Reserve Receipts	\$53.85
		Op Reserve Expenditures	\$0.00
		State Fund Receipts	\$66.01
		State Fund Expenditures	\$108,185.13
		Land Pres Fund Receipts	\$38,884.42
		Land Pres Fund Expenditures	\$78,038.91
		<b>Sinking Fund (Loan)</b>	
		Assets	\$17,320.97
		Liabilities	\$4,209,976.00
		<b>Land Preservation (Loan)</b>	
		Assets	\$0.00
		Liabilities	\$1,498,351.00

<b>Assets in Restricted Account</b>	
Gen Fund--Recreation	\$52,432.57
Gen Fund--Hlth Reimb	\$3,662.80
Land Pres	\$1,407,107.59

Liabilities--Gen Fund	\$170,276.20
Liabilities--Cap Reserve	\$1,060,409.00
Liabilites--Op Reserve	\$0.00
Liabilities--State Fund	\$145,538.00
Liabilities--Land Pres	\$2,093,929.48
<b>Total Liabilities</b>	
Equity--Gen Fund	\$1,005,744.94
Equity--Cap Reserve	-46,430
Equity--Op Reserve	\$350,374.86
Equity--State Fund	\$283,954.31
Equity--Land Pres	-\$686,821.89

<b>Total Equity</b>	<b>\$906,822.22</b>
<b>Less Restricted Acct</b>	<b>-\$634,389.32</b>
<b>Working Capital</b>	<b>\$1,541,211.54</b>

## Departmental Reports

**Parks & Recreation:** Therese Mauchline reported that the garden is producing well and the Frankel family was helping her family and Lee Heller with watering, weeding, and harvesting.

There was a good response to the tennis and kickball camps (77 children across all programs).

There will be a PickleBall Tournament for Harmony Day.

John McHugh announced and presented a Certificate of Appreciation to Therese Mauchline in recognition of her contributions to Honey Brook Township and the Parks & Recreation Committee.

**Roads:** Dir. Public Works, Don Johnson announced that the Township received a bid on line painting for parking spaces at the James A. Umble Memorial Park of \$400. August 20<sup>th</sup> & 21<sup>st</sup> is slated for paving Poplar Road.

A female resident asked if Poplar Road would be getting a speed limit sign once it is paved. Joe Fenstermacher stated that that was one topic of conversation in the Board's Executive Session. Toni Antonini had gone back in the records & could not find any previous mention of a speed limit Ordinance. A speed study has to be done first before a speed limit is established, which is underway.

**Administration:** Toni Antonini stated that the 2014 budget is in the works, so a workshop can be scheduled for working on it. Also, the Township is in conversation with PennDOT regarding the intersection of Chestnut Tree & Route 322.

**Planning Commission (PC):** Mike Reinert stated that the PC is still reviewing on-lot sewage management and the property maintenance ordinance in their meetings & workshops will be scheduled in the future.

**Code Enforcement:** Mike Reinert stated that there was no update.

**Announcement--website status:** Joe Fenstermacher is pleased to announce that John McHugh had taken on the duties of website maintenance delineation. The announcements, meeting

minutes, and agendas are showing up as they get done. John McHugh introduced the outside vendor, Tim Perry, who is working on bringing the website up to a more current status. An RFP will be released in the near future for new 2014 website implementation.

### **Open Forum:**

Brian Nagle was present representing Brian Yarnall of Township Line Road, regarding his stormwater management plan for a new pole barn on his property. Based on the stormwater management ordinance, he needs to request waivers and will submit a formal request for the next meeting. Brian Nagle stated that Yarnall's property is a 20-acre property located at 190 Township Line Rd. Commonwealth Engineers submitted a proposal on his behalf, for which the Township Engineer reviewed and offered comments. James Haigney, Commonwealth Engineers also present, stated that they are requesting waivers in three areas. First, the applicant would like relief to count the gravel as a pre-developed condition of the site, allowing for slight relaxation of required volume. The 2<sup>nd</sup> waiver has to do with construction of an infiltration facility that disperses within 48 hours; the applicant is asking for 72 hours. Finally, a waiver of review by the County Conservation District of the requested relief will be sought since the project is under an acre of disturbance. Brian Nagle stated that he will submit a written request for the Supervisors' consideration. Mike Reinert stated his suggestion is to go before the PC for their review to give their recommendation to the Board for the next meeting.

John McHugh asked if the Land Preservation Committee (LPC) was missed in departmental reports. Chip Jones of the LPC stated 5 items were covered and recommendations were forwarded to board.

A female resident of Icedale Road asked if there were any changes or updates on the status of the bridge on Icedale Road. Joe Fenstermacher stated that what the Board has done so far is attend a meeting in West Brandywine Township (WBT), which is where the bridge is principally located. Every correspondence received since then is now on the website so you can track what we're doing with it. I don't see that anything will be done for 4-5 years. It may be made one lane or have reduced tonnage, it will take some work and review to bring the bridge up to the standards Penn DOT has set. John McHugh stated that there were about 40 homes in Honey Brook Township that are impacted. Flooding on the other end of Icedale Road doesn't happen often but when it does it landlocks those homes. Joe met with WBT as the Emergency Management Coordinator. John McHugh noted there might be an emergency access option between Baron Hill Road and Icedale Road, which has been looked at by the Roadmaster. Joe Fenstermacher stated that there are plans in place from working with Doug (Emergency Management Coordinator in WBT). It is possible that an emergency vehicle access from Icedale Road to Ryan/Hillview Roads will be created.

## **Business:**

**Approve/not Approve Tel Hai Phase 3 & 4 Final Land Development.** Alex Piehl, RGS Associates, spoke on behalf of the applicant, Tel Hai Retirement Community. Bruce Hartshorne was also in attendance from Tel Hai. The Final Plans for Phases 3 & 4 were reviewed. Phase 4 consists of 74 apartments in Buildings E & F, 15 cottages to the north, and a community space for gatherings and Phase 3 consists of 111 new apartments in Building C & a community space. The trail network is also being extended through the rest of the community (there are already sidewalks and trail systems in the wooded area). Alex Piehl stated that the evening's request is for conditional final approval of Phases 3 & 4, the Planning Module for submittal to the Department of Environmental Protection (DEP), and a partial waiver of financial security to be deferred for Phase 4 until building permit.

Mike Reinert stated he would give the Planning Commission (PC)'s perspective of the recommendations made at their last meeting. One item is for a partial waiver request to only post an improvements financial security for Phase 3 at this time with deferral of the Phase 4 until permits are actually applied for that phase. The second item was the Township's action on the Sewage Facilities Planning Module. There has been considerable discussion between the engineers on this topic and a meeting with the PADEP. A letter has been received from both the Chester County Planning Commission (CCPC) and Chester County Health Department (CCHD) with no objections to the project. The final item is for conditional final approval. The Township Engineer and Ebert Engineering has issued review letters on compliance with the Ordinances and on technical issues regarding the water supply & sewage plant upgrades. Mike Reinert stated that the remaining issues need to be addressed, however the bulk of the major issues have been satisfied for a conditional approval.

Deb Dovin, Park Road, asked what the route for construction vehicles would be--Beaver Dam to Park Road? Alex Piehl stated that for Phases 1 & 2, construction vehicles entered & exited via a northern access point. Bruce Hartshorne advised that an agreement had again been reached with Mr. Stoltzfus to use his farm lane for access to the construction areas for these phases also.

Joe Fenstermacher stated that a couple of Township residents asked about sewage disposal and utilizing only stream discharge in lieu of onlot disposal such as spray irrigation. Tel Hai is pumping out a significant amount of water from the aquifer. Mike Reinert stated that the stormwater management infiltration facilities will help with the recharge issues. As far as the sanitary sewer proposal, the applicant is required to demonstrate the alternative analysis for their final solution. One of the major topics of discussion with the applicant's engineer has been that the alternatives analysis was not complete when initially submitted. He explained that Technicon & Ebert Engineering

has required that all land-based options have been explored as part of the planning module, including spray irrigation. The Township needs to ensure that the alternatives have been at least researched, although the Department of Environmental Protection (DEP) has the final approval of the planning module.

John McHugh made a motion, seconded by Tracy Olsen, to approve 1) partial waiver request of §22-409 & 410 to defer posting of the financial security for Phase 4 until time of building permit application, 2) Component 3 Sewage Facilities Planning Module provided applicant complies with Ebert Engineering letter of August 14, 2013, 3) granting conditional final approval providing applicant addresses all comments in Township Engineer's review letter of July 19, 2013 and Ebert Engineering review regarding water supply, 4) acceptance of Township Engineer's financial security recommendation for Phase 3 in the amount of \$975,886.45. All in favor; motion passes.

**Authorize/not Authorize advertisement of Conditional Use Hearing 22-8-8; subdivision limitation.** Mike Reinert stated that this is for the Faulkner tract conditional use application for a four lot subdivision off of Dampman Road. The Ordinance requires that a subdivision for more than 3 lots in the Agricultural (A) district obtains conditional use approval prior to moving forward with the subdivision process. The Planning Commission has already reviewed the application, however tonight's motion is to advertise for the hearing.

Tracy Olsen made a motion, seconded by John McHugh, to authorize advertisement of the Conditional Use Hearing for 22-8-8. All in favor; motion passes.

**Conditional Use Hearing 22-10-44.4; Kennel Operation, 520 Beaver Dam Rd. (continued).** Mike Reinert stated that his recommendation is to table the hearing for another month, pending possible future approval of an ordinance amendment related to the use. The Board agreed.

**Authorize/not Authorize advertisement and forward to the Chester County Planning Commission (CCPC) for review – Zoning Ordinance Amendment re: Kennels.** John McHugh made a motion, seconded by Tracy Olsen, to authorize advertisement of a Zoning Ordinance Amendment pertaining to kennels and forwarding to the CCPC for review. All in favor; motion carries.

**Appoint/not Appoint Shane Hadden to the Land Preservation Committee (LPC).** John McHugh stated that this would make the LPC a 5-member committee with an alternate to serve a one-year term.

John McHugh made a motion, seconded by Tracy Olsen, to appoint Shane Hadden to the LPC. All in favor; motion carries.

**Appoint/not Appoint Mike Zook to the LPC.** Toni Antonini advised she did get an e-mail update on his background. He operates a 67-acre farm on Poplar Road. He is in the farmland preservation program and conducts Best Management Practices on his farm. John McHugh stated that this position was for stepping in to vote if someone on the LPC could not.

Tracy Olsen made a motion, seconded by John McHugh to appoint Mike Zook to the LPC for 1-year term. All in favor; motion carries.

**Appoint/not Appoint Jerry Moore Emergency Management Coordinator (EMC).** Joe Fenstermacher stated that he would like to table this item until next month. He would like to get more information and have Jerry Moore possibly attend next meeting since he would possibly be appointed primary EMC and Joe Fenstermacher as the secondary EMC. Board agreed to table.

**Approve/not Approve Tax Parcel Number 22-7-95.6 (49 acres) for the Challenge Grant Program.** Chip Jones of the LPC spoke about the property. One of the approved transactions for \$221,000 was withdrawn; this request is for \$121,000, so there's a positive flow in the available funds.

John Goodall, Brandywine Conservancy, stated that the property was on Route 322 and is 50 acres in size and referred to a map projected to the public regarding the farm's location. Green areas are preserved; yellow indicates a critical need for preservation for Chester County and the city of Wilmington in Delaware.

John McHugh asked where the list of preserved properties was located. John Goodall stated that August 1 was the deadline for submitting applications for this year and the list should be updated shortly.

John McHugh made a motion, seconded by Tracy Olsen, to approve Tax Parcel Number 22-7-95.6 to the Challenge Grant Program. All in favor; motion carries.

**Approve/not approve Chester County Challenge Grant participation.**

John McHugh made a motion, seconded by Tracy Olsen, to approve participation in the Chester County Challenge Grant \$200,000. All in favor; motion carries.

**Final Open Forum:** none.

**Upcoming meetings:**

- August 15---Park & Recreation (7:00 pm)---cancelled.
- August 29---Planning Commission (7:00 pm)
- September 11---Board of Supervisors Regular Meeting (6:30 pm)
- September 17---Land Preservation Committee (6:30 pm)

John McHugh stated that Harmony Day is also coming up in September. There will be a Veterans' Day observation. There is a list of those in Honey Brook Township who have served in the armed forces to give them the recognition they deserve.

John McHugh made a motion, seconded by Tracy Olsen, to adjourn. All in favor. Meeting adjourned at 7:54 p.m.

Respectfully submitted,

Kristy J. Deischer-Eddy  
Recording Secretary