

October 9, 2013

The regular meeting of the Honey Brook Township Board of Supervisors was called to order at 6:34 p.m. Supervisors Joe Fenstermacher, John McHugh, and Tracy Olsen were present, as was Township Administrator Antoinette Antonini and Township Engineer Michael Reinert.

In accordance with Resolution 2-2012, it was announced that the meeting was being filmed by Scott Stilson of 275 Vincent Drive.

Joe Fenstermacher closed the public meeting at 6:35 p.m. for purposes of opening the **Public hearing for Ordinance #167-2013 – Kennels.**

Michael Reinert briefly read the amendment to the current ordinance regarding kennels. The changes to the ordinance will defer to the regulations of the State. Notice of the hearing and the proposed changes were advertised according to State law. The Honey Brook Township Planning Commission & the Chester County Planning Commission did provide approval letters for the changes.

Joe Fenstermacher asked if there were any questions or comments from the audience. There were none. The hearing was closed and the general meeting reopened at 6:38 p.m.

Adopt/not adopt Ordinance #167-2013—Kennels. John McHugh made a motion, seconded by Tracy Olsen, to adopt Ordinance #167-2013. All in favor; motion carries.

Consent agenda.

Minutes of the September 11th regular meeting; bills/receipts; treasurer’s report. John McHugh noted a couple of typos, and made a motion, seconded by Tracy Olsen, to approve the consent agenda. All in favor; motion carries.

Treasurer’s Report as of September 30, 2013

		September		
Assets--Gen Fund	\$1,369,796.00	General Fund Receipts	\$144,736.96	
Assets--Cap Reserve	\$991,646.00	General Fund Expenditures	\$59,469.66	
Assets--Op Reserve	\$350,465.00			
Assets--State Fund	\$321,392.00	Cap Reserve Receipts	\$25,975.15	
Assets--Land Pres	\$243,955.00	Cap Reserve Expenditures	\$62,587.02	
Assets--Land Pres Fund	\$1,093,888.00			
Total Assets		Op Reserve Receipts	\$44.74	
<hr/> Assets in Restricted Account		Op Reserve Expenditures	\$0.00	
Gen Fund--Recreation	\$51,946.00			
Gen Fund--Hlth Reimb	\$8,362.00	State Fund Receipts	\$41.03	
Land Pres	\$1,337,843.00	State Fund Expenditures	\$65,895.73	
Liabilities--Gen Fund	\$177,589.00			

Liabilities--Cap Reserve	\$1,031,522.00	Land Pres Fund Receipts	\$27,923.52
Liabilites--Op Reserve	\$0.00	Land Pres Fund Expenditures	\$176,654.09
Liabilities--State Fund	\$145,538.45		
Liabilities--Land Pres	\$2,093,929.48	Sinking Fund (Loan)	
Total Liabilities		Assets	\$17,325.00
		Liabilities	
Equity--Gen Fund	\$1,192,207.00	Land Preservation (Loan)	
Equity--Cap Reserve	-39,876	Assets	\$0.00
Equity--Op Reserve	\$350,465.00	Liabilities	\$1,498,351.00
Equity--State Fund	\$175,853.55		
Equity--Land Pres	-\$756,086.48		
Total Equity	\$922,563.07		
Less Restricted Acct	-\$704,140.48		
Working Capital	\$1,626,703.55		

Departmental Reports.

Parks & Recreation Committee: Therese Mauchline reported that the committee co-chairs plus Rob McMinimie were at the last meeting & nobody else. A summary is going into the newsletter of the events for the season. There will be a community fair at the elementary school coming up, and the committee will have a table there to generate interest.

The committee did make a motion to recommend having the lines at the James A. Umble Park parking lot painted before April 5, 2014. The committee understands that one bid has been received thus far for that. There will be no committee participation in Halloween Parade this year.

The committee is recommending that the Board consider helping out with the Wounded Warrior Project at the Golf Club. John McHugh made motion, seconded by Joe Fenstermacher, to donate \$125 to the Wounded Warrior project being coordinated by the Honey Brook Golf Club. All in favor; motion carries.

Therese Mauchline stated that Deb Oldham is writing up a budget for 2014 summer camps. The Borough made mention of it at their meeting on Monday (October 7).

Regarding the project for assembly of a "Hero Box"; it was tabled.

Joe Fenstermacher asked Therese Mauchline if she had talked to Dr. Frankel about movable skateboard ramps for park. He supposedly wants them for the Township as well as the Borough park.

Joe Fenstermacher stated that over a million dollars in shale tax money that has been collected by the state which is set aside for purposes of parks & recreation that hasn't yet been applied for. He asked that it please be discussed at the next Park & Recreation Committee meeting.

Therese Mauchline stated that there is still harvesting taking place at the garden. The most recent harvest yielded 4 pounds 12 oz. of Swiss chard and 7 pounds 6 oz. of tomatoes.

Roadmaster Don Johnson: nothing to report.

Administration: Toni Antonini stated that she had been notified by Representative Meehan's office that due to the government furlough, his satellite offices are being shut down until further notice.

Joe Fenstermacher stated that he has been working closely with local churches and the Golf Club to put together a permanent food cupboard in Honey Brook. It would be on one day a month for 5 hours, food will be collected at a Chester County Food Bank truck parked at the Township Public Works Building. This will be an experimental program for 6 months beginning January 1, 2014.

Planning Commission:

On-lot sewage management ordinance/public education. Mike Reinert advised that there would be a public meeting on December 12 to educate people about their onlot sewage systems. He provided copies of the proposed power point presentation to the Board for review and input. A pump hauler, soil scientist, and sewage enforcement officer will be among those on hand to give a brief presentation & to take questions from the audience.

Joe Fenstermacher asked who would provide funding for the meeting. Mike Reinert stated that the speakers would be volunteering their time; otherwise, the only cost would be for his time. There is a process to request reimbursement under Act 537, but due to State budgetary constraints, we are not sure how quickly the reimbursement would be. John McHugh stated that the meeting would be a joint town hall/education meeting.

Workshop meeting – Comp plan update. Mike Reinert stated that the Planning Commission would hold a workshop meeting on October 10 at 7 p.m to discuss this matter with the Brandywine Conservancy.

Land Preservation: Chip Jones stated that the next committee meeting is November 19. At the last meeting on September 17, no new farmers for preservation were discussed.

Open Forum.

A resident of 534 Icedale Road asked if there would be anything done about the runoff from the hill. The bridge is being worked on, and the Township should send the Zelp brothers a thank-you for donating materials to repair the bridge. Joe stated that emergency vehicles would be able to get through on the bridge, but not delivery trucks.

John McHugh suggested contacting State Representative Hennessey and State Senator Brubaker regarding getting an engineer to conduct a survey on Birdell road to determine what is causing the flooding and what can be done to alleviate it. There was mention of speeding along Icedale Road. Joe Fenstermacher asked what the Township would need to do for a speed study. Mike Reinert advised that Icedale Road was one road that was

recently studied and the speed limit is posted as a result of the study. Now, it's a matter of enforcement.

Joe Fenstermacher suggested contacting the State police requesting additional monitoring of speed on Icedale Road. Toni Antonini was directed to contact State Police for more patrol on Icedale Road with regard to speed enforcement.

John McHugh stated that there can be follow up at the town hall meeting on December 12, with what if anything is the response to the request for more police coverage as well as the funding for the study for the engineering.

Announcement.

The next Chester County Tax Collection Committee meeting is November 12. John McHugh stated that he is planning to attend.

Business.

Authorize/not authorize Tel Hai extension Phase 3 and 4.

John McHugh made motion, seconded by Tracy Olsen, authorizing the Tel Hai extension for Phases 3 & 4 as requested in the RGS Associates letter of September 17, 2013. All in favor; motion carries.

Authorize/not authorize advertisement Ordinance #168 - 2013 --- Poplar Road Speed Limit.

Mike Reinert stated that this was the follow up to the speed study recommending a 35 mph speed limit.

John McHugh made a motion, seconded by Tracy Olsen, to authorize advertisement of Ordinance #168 - 2013 --- Poplar Road Speed Limit. All in favor; motion carries.

Approve/not approve TPN #22-5-25 stormwater waiver request (from Category 3 to Category 2).

Mike Reinert gave brief explanation of the waiver request. The Township will be required to adopt new stormwater regulations in a few months with more relaxed standards for agricultural buildings. The relief requested is in line with the new regulations to be adopted in the near future, but require formal waivers to meet the current ordinance existing today.

Mr. William Beam was present as the property owner and stated he is building an implement shed for combines & tractors. He is working with the NRCS as part of a conservation plan for the ag practices on the property and his consultant has proposed an infiltration bed to storage and infiltrate the runoff from the roof of the building.

John McHugh made a motion, seconded by Tracy Olsen, to approve the stormwater waiver request from Category 3 to Category 2 for TPN #22-5-25. All in favor; motion carries.

Support/oppose/take no position Hessian LTD (Peddler Inn) special exception, TPN #22-8-82. Mike Reinert stated that a zoning hearing application was received for a

change of use of the existing restaurant into offices. Under the zoning ordinance, offices are not an allowed use in the MR district. This property is converting from one non-conforming use to another. The new use appears to be less of an impact than the current use. The Planning Commission did support the special exception.

John McHugh made a motion, seconded by Tracy Olsen, to support the special exception for Hessian LTD, TPN #22-8-82. All in favor; motion carries.

Support/oppose/take no position Benco Associates variances, TPN #22-3-75.6. Mike Reinert gave the floor over to Todd Shoaf of Pioneer Management LLC, representing the applicant, Mr. Benji Smoker.

Todd Shoaf stated that Mr. Smoker would appear before the Zoning Hearing Board on Oct. 28th, when he will be showing in more detail how he meets the criteria for the variances being requested.

The tenant operating a business at TPN #22-3-75.6, 629 Todd Road, needs more space. He hopes to build and move into a new 105,000 square foot building next to the current building, which requires the purchase of pieces of property from two others, TPN #22-3-75 and 22-3-75.5 Portions of these parcels would make up five new lots. All lots are located in the I – Industrial zone. Plans were handed out to the Board and displayed on an easel for the public to see.

The Proposed Lot 4 would house the new building, and Lot 5 would be purchased so that in future so that if the business on the corner of Twin County & Todd Roads (TPN #22-3-75.3) wants to expand in the future, it can. The applicant's business has been in Honey Brook Township for a long time.

There will be an access driveway connection between the proposed Lot 4 and TPN #22-3-75.3 in addition to the driveway accessing Todd Road. There needs to be secondary access for emergency purposes. The property owners of the remains of 22-3-75.5 do not want a drive through their property, so Todd Rd access is the only way to access new lot.

Four of the variance requests are for slope. There is a small amount of precautionary slope in two places on the project. The prohibitive slope areas are very small. It is a permitted use to have drives in precautionary slopes.

Stormwater management and sewage not permitted in precautionary slopes, so the only place to put it is near Todd Road at the base of the proposed driveway.

The applicant does know he needs to get approval from Pennsylvania Power & Light to go through their power lines' right of way which cuts through part of proposed Lots 4 & 5 for the 2nd access drive. Also of note is that the precautionary slope that the 2nd access drive cuts through is manmade, from the previous land development of TPN #22-3-75.3.

Joe Fenstermacher asked if there were other Industrial-district lands available in that area.

Todd Shoaf stated not any that were adjacent to the applicant's existing properties.

The calculations indicated that 32.5% area will be disturbed (the ordinance sets the maximum at 30%). The applicant is also asking for 6 months more time (beyond the year time frame in the ordinance). The Township Planning Commission gave their support to all the proposed variance requests.

John McHugh asked if the proposed project would increase traffic in that area. Todd Shoaf stated that there will be a traffic study as part of the land development process.

Joe Fenstermacher asked if there were any questions or comments from the public. There were none.

John McHugh made a motion, seconded by Tracy Olsen, to support the Benco Associates variances for TPN #22-3-75.6. All in favor; motion carries.

Authorize/not authorize forwarding draft Zoning Amendments - Retail Uses, Rural Occupation, Street Line to Chester County Planning Commission (CCPC) for review. Mike Reinert stated that this was discussed at the Planning Commission's workshop meeting in September and recommended forwarding the draft to the CCPC. This is the next step in the process of forwarding the draft, advertising, holding the public hearing, then voting on whether or not to adopt the ordinance.

John McHugh made a motion, seconded by Tracy Olsen, to authorize forwarding to the CCPC for review and comment. All in favor; motion carries.

Authorize/not authorize draft Zoning Amendments for advertisement of public hearing. What this does is allow the Administrative Office to move forward right away with advertising the public hearing once the Township receives a letter back from the Chester County Planning Commission with their comments on the draft.

John McHugh made a motion, seconded by Tracy Olsen, to authorize advertisement of the public hearing for the draft Zoning Amendments. All in favor; motion carries.

Final Open Forum.

None.

Upcoming Meetings:

Oct 10 – Planning Commission Workshop (7 pm)

Oct 17 – Parks and Recreation (7 pm)

Oct 24 – Planning Commission Regular Meeting (7 pm)

Nov 13 — Board of Supervisors Regular Meeting (6:30 pm)

Dec 12 – Public Education Meeting RE: Onlot sewage system maintenance

John McHugh advised that the website proposal collection is being concluded this week.

John McHugh announced that on Sunday, November 10, there would be a Veteran's Day honor roll ceremony in the Township Administration Building lobby.

It was noted that the following Township residents are currently serving in the military: John McHugh mentioned Jeremy Garranger and Nate Romig; Joe Fenstermacher mentioned Lindsay Gallagher and Daniel Gant, and Tracy Olsen mentioned June Martin.

Motion by Joe Fenstermacher, seconded by John McHugh, to adjourn the meeting. All in favor. The meeting adjourned at 7:31 pm.

Respectfully submitted,

Kristy J. Deischer-Eddy
Recording Secretary