

The regular meeting of the Honey Brook Township Board of Supervisors was called to order at 7:08 p.m. Supervisors John McHugh, Joe Fenstermacher, and Tracy Olsen were present, as was Township Administrator Toni 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.

**Public Hearings**

The meeting was turned over to John Good, Township Solicitor for the public hearing for consideration of 4 separate ordinances.

Ordinance 170 – Stormwater Management (Chapter 20). John Good stated that Section 339D should be replaced with 339E and 309F-J are to be relettered. No content was changed from what was advertised. The ordinance is modeled after the form provided by the Chester County Planning Commission and what has been already adopted by most municipalities in Chester County.

Shane Hadden, Grieson Road, asked where copies would have been available to review prior to the hearings. John Good stated the ordinances were advertised in the legal ads section of the Daily Local News, where copies were available for review; also in the Chester County Law Library. Copies were also available at the Township Administration Office.

Ordinance 171 – Subdivision And Land Development Ordinance (SALDO) Amendments; which are amendments necessary to bring consistency with Ordinance 170.

Ordinance 172 – Zoning Amendments; which are amendments necessary to bring consistency with Ordinance 170 & 171.

Ordinance 173—Prohibitions; a stand alone ordinance also pertaining to stormwater management.

Dick Reeder, Hertzler Drive asked if the specifics of the changes to the Zoning amendments [Ordinance 172] could be outlined. Mike Reinert stated that the old language was changed to bring the Zoning Ordinance into compliance with Ordinance 170.

There being no other questions or comments from the floor, John Good turned the hearing over to the Board of Supervisors.

Joe Fenstermacher made a motion, seconded by Tracy Olsen, to adopt Ordinance 170. All in favor. Motion carries.

Joe Fenstermacher made a motion, seconded by Tracy Olsen, to adopt Ordinance 171. All in favor. Motion carries.

Joe Fenstermacher made a motion, seconded by Tracy Olsen, to adopt Ordinance 172. All in favor. Motion carries.

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Joe Fenstermacher made a motion, seconded by Tracy Olsen, to adopt Ordinance 173. All in favor. Motion carries.

The public hearing was concluded at 7:14 p.m.

**Treasurer's Report as of April 31, 2014**

Assets--Gen Fund	\$1,213,346.51
Assets--Cap Reserve	\$999,374.41
Assets--Op Reserve	\$350,215.69
Assets--State Fund	\$435,477.25
Assets--Land Pres	\$236,082.74
Assets--Land Pres Fund	\$924,619.36
<b>Total Assets</b>	<b>\$4,159,115.96</b>
<i>total Land Pres</i>	<b>\$1,160,702.10</b>

<b>Assets in Restricted Account</b>	
Gen Fund--Recreation	\$51,789.82
Gen Fund--Hlth Reimb	\$5,191.32
Land Pres	\$1,160,702.10

Liabilities--Gen Fund	\$163,684.06
Liabilities--Cap Reserve	\$1,044,296.00
Liabilites--Op Reserve	\$0.00
Liabilities--State Fund	\$145,538.00
Liabilities--Land Pres	\$1,811,544.00
<b>Total Liabilities</b>	<b>\$3,165,062.06</b>

Equity--Gen Fund	\$1,049,662.45
Equity--Cap Reserve	-\$44,921.59
Equity--Op Reserve	\$350,215.69
Equity--State Fund	\$289,939.25
Equity--Land Pres	-\$650,841.90
<b>Total Equity</b>	<b>\$994,053.90</b>

<b>Less Restricted Acct</b>	<b>-\$599,052.08</b>
<b>Working Capital</b>	<b>\$1,593,105.98</b>

General Fund Receipts	\$242,458.53
General Fund Expenditures	\$180,281.92

Cap Reserve Receipts	\$25,970.00
Cap Reserve Expenditures	\$0.00

Op Reserve Receipts	\$43.17
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Op Reserve Expenditures	\$0.00
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State Fund Receipts	\$53.69
State Fund Expenditures	\$0.00

Land Pres Fund Receipts	\$50,104.41
Land Pres Fund Expenditures	\$51,562.78

**Sinking Fund (Loan)**

Assets	\$17,340
Liabilities	\$4,209,976

**Land Preservation (Loan)**

Assets	\$0.00
Liabilities	\$1,498,351.00

**Business**

John McHugh announced that some items of business were being moved up in the agenda due to the Township Solicitor having a prior commitment.

**Poplar Realty, Tax Parcel Number (TPN) 22-8-52.** Mr. Good noted that this plan has been discussed by the Planning Commission for quite some time and the applicant is present to discuss conditional preliminary plan approval. The Planning Commission has provided a recommendation of conditional approval and input on several waiver requests.

Debbie Shulski attorney on behalf of Poplar Realty was present and stated that since they acknowledge their impact to the community pertaining to upgrades to the sewer plant, they will agree to financially contribute their portion towards the special study which is required

under Act 537. The Authority Engineer estimated a fair share amount of \$3,200 for the development.

Shane Hadden, Grieson Road, asked if there were any plans on how to handle the additional traffic the development would create. John Good stated that one of the conditions of the development is widening of roads as well as having traffic studies done & approved. Additional questions were presented from Mr. Hadden and members of the audience related to the proposed development, which were answered by Township staff and the applicant. It was also mentioned by Township staff that the application has been before the Township for the past two years and discussed at several meeting of the Township Planning Commission.

Mike Reinert asked the engineer, Jon Tresslar, to provide a brief overview of the plan. Mr. Tresslar showed a map of the proposed development and explained the design. He stated that Poplar Realty had met with the Township in 2006 to ask how they would like the project to evolve. He pointed out that there would be 128 units on 10,000 square foot lots, all per the Zoning Ordinance. There is a walking trail and various open space and recreation areas proposed. There will be road improvements made to Grieson and Chestnut Tree Roads.

Joe Fenstermacher asked how to proceed with the waiver requests. Mike Reinert stated that the April 3, 2014 letter outlines the actual recommendation from the Planning Commission. The Board may choose to take their recommendation, make revisions to the recommendations or otherwise at their discretion. At the request of a member of the public, the recommendations from the Planning Commission were read aloud. After additional discussion unrelated to the subdivision plan, the Board continued with action on the plans.

Joe Fenstermacher made a motion, seconded by Tracy Olsen, to grant the waivers as recommended in the letter dated April 3, 2014 from the Planning Commission. All in favor. Motion carries.

Joe Fenstermacher made a motion, seconded by Tracy Olsen, to grant conditional preliminary plan approval of the Poplar Realty subdivision, TPN 22-8-52 and accepting the offer of the applicant to contribute \$3,200 toward the preparation of the Act 537 special study as referenced in the minutes. All in favor. Motion carries.

**Consent Agenda**—Minutes of April 9<sup>th</sup> regular meeting; bills/receipts.

Joe Fenstermacher made a motion, seconded by Tracy Olsen, to adopt the consent agenda. All in favor. Motion carries.

### **Departmental Reports**

**Park & Rec**—Therese Mauchline stated that the committee met last on April 17 and are making several recommendations.

The first is to have the Board of Supervisors appear in the Memorial Day Parade with a “Happy 225<sup>th</sup> Anniversary, Honey Brook Township” banner, either walking or riding in a car. The second is to merge with the Honey Brook Borough Park & Rec committee. The third is to keep the James A. Umble Memorial Park rules the same as they have been. The committee noticed a discrepancy in the two posted sets of park rules, so their fourth

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recommendation is to change the park rules to read, “No animals except guide dogs and horses in designated areas” rather than “no dogs.” Fifth, the committee recommends that there be guidelines put in place for playground inspections at the park, to make sure that the equipment is up to date.

The 225<sup>th</sup> Anniversary Kickoff date is August 9, time to be determined. More people are needed on the committee; one will be out of commission for two months; another has health issues which prevents meeting attendance, so the committee is down to three members.

Items for discussion at tomorrow night’s meeting include Volleyball, Harmony Day, and the 225<sup>th</sup> Anniversary. Joe Fenstermacher asked if there should be a Honey Brook Borough Park & Rec representative at the meeting tomorrow night. Therese Mauchline stated that their merger proposal is just a motion at this point; it has not taken place yet.

There was a Park & Rec Committee representative at the Honey Brook Elementary Center (HBEC) night & they were well received. The trail there has been opened, and the HBEC did thank the Township for its contribution.

**Roads** – Don Johnson stated that the Roads department recently added 50 tons of sand to the volleyball court at the park. Fence repairs will begin soon for fields 1 & 2; field 3’s fence will be repaired next year. The fallen tree limbs are cleaned up. There are still some broken limbs higher up in the trees to get down later when the ground is not so soft.

Don Johnson stated that he and Mike Reinert were at the park investigating various runoff complaints that need to be addressed. Complaints have also been received about washed out ditches (such as Rock Rd). There have been a lot of ditches washed out lately, which will be addressed once weather permits.

**Administration** — Toni Antonini stated that the Labor & Industry 5-year UCC audit took place today and went very well. On June 8, the annual French & Pickering Creeks Trust bike event will be coming through Honey Brook Township. An information guide is being worked on for the 225<sup>th</sup> anniversary and the next newsletter is being prepared for issuance in June.

### **Planning Commission** – April 24<sup>th</sup> Meeting Minutes

Joe Fenstermacher stated that the Planning Commission is working on 3 ordinances right now. The recent workshop had to do with plans going forward on the Comp Plan update. The meetings are the fourth Thursday of the month at 7 p.m. and the public is encouraged to attend.

### **Open Forum.**

Bob Witters, Dogwood Drive had a comment regarding communications between the Township and residents. He believed ways have been pursued to promote communications, however ultimately the individual resident decides whether to attend meetings or include themselves in Township activities.

### **Business (continued).**

**Faulkner Tract TPN 22-8-8.4:**

Victor Kelly, Jr., P.E. from Commonwealth Engineers, Inc. was present on behalf of the applicant. He mentioned he was before the Board previously to obtain conditional use approval for this 4 lot subdivision plan off of Dampman Road. The Planning Commission has reviewed the plan and provided a recommendation on a number of waiver requests and conditional approval.

Mike Reinert stated that the letter dated April 25, 2014 outlines the recommendation of the Township Planning Commission. A private street is being proposed and a number of the waiver requests relate specifically to that topic. The Subdivision and Land Development Ordinance (SALDO) states that the public street standards are required for private streets. Mike Reinert stated that the PC also recommended conditional preliminary/final plan approval based on the applicant complying with his review letter dated April 11, 2014.

Joe Fenstermacher made a motion, seconded by Tracy Olsen, to grant the requested waivers to the Faulkner tract subdivision, Tax Parcel #22-8-8.4, based on the Planning Commission recommendation letter dated April 25, 2014. All in favor. Motion carries.

Joe Fenstermacher made a motion, seconded by Tracy Olsen, to grant conditional preliminary/final plan approval to the Faulkner tract subdivision, TPN 22-8-8.4, based on the applicant complying with the Township Engineer's review letter dated April 11, 2014. All in favor. Motion carries.

**Approve/not approve TPN 22-8-11, 22-5-38 and 22-5-37 (113.6 acres) for Challenge Grant program.** John Goodall, Brandywine Conservancy, presented three parcels for grant consideration in lieu of Land Preservation Committee Chairman Chip Jones. John Goodall stated that this farm would make a contiguous block of preserved land adjacent to the Commonwealth-owned land around Struble Lake, comprised of 8 farms totaling 639 acres. The proposed financing for the agricultural easement is 22.5% from the Brandywine Conservancy; 55% from Chester County; 10% donated by the land owners; and the remaining 12.5% from Honey Brook Township. After some additional discussion, Joe Fenstermacher made a motion, seconded by Tracy Olsen, to approve TPN 22-8-11, 22-5-38, and 22-5-37 (totaling 113.6 acres) for the Challenge Grant Program. All in favor. Motion carries.

**Approve/not approve TPN 22-8-17 (97 acres) for Challenge Grant program.** The proposed financing for the agricultural easement on this farm is 50% from Chester County, 25% from the Brandywine Conservancy, and 25% from Honey Brook Township.

Joe Fenstermacher made a motion, seconded by Tracy Olsen, to approve TPN 22-8-17 (totaling 97 acres) for the Challenge Grant Program. All in favor. Motion carries.

**Approve/not approve TPN 22-7-46.1 (35 acres) for Challenge Grant program.** 22.5% of the bill for the agricultural easement will be footed by Honey Brook Township and 10% will be a donation from the landowner. This farm would make a 300-acre contiguous block of preserved land.

Joe Fenstermacher made a motion, seconded by Tracy Olsen, to approve TPN 22-7-46.1 (totaling 35 acres) for the Challenge Grant Program. All in favor. Motion carries.

**Adopt/not adopt Resolution 5-2014 Revised Fee Schedule.**

Toni Antonini advised that the changes in the fee schedule are related to the recently passed Ordinance 170 pertaining to stormwater management.

Joe Fenstermacher made a motion, seconded by Tracy Olsen, to adopt Resolution 5-2014 Revised Fee Schedule. All in favor. Motion carries.

**Award/not award annual bids to lowest qualified bidder.** Joe Fenstermacher made a motion, seconded by Tracy Olsen, to award annual bids to lowest qualified bidders. All in favor. Motion carries. (bid spreadsheet attached)

**Maureen Miller 22-10-46 & 46.1 lot line change – Grant/Not Grant Time Extension to July 31, 2014.** Mike Reinert stated that the applicant is granting the Township additional time to review the plans. They are currently under revision and will be resubmitted for further review in the near future.

Joe Fenstermacher made a motion, seconded by Tracy Olsen, to grant the time extension to July 31, 2014 for the Maureen Miller lot line change. All in favor. Motion carries.

**Approve/not approve Proclamation of Thanks James Fagan.** John McHugh read Resolution 6-2014, thanking James Fagan for his service to the Zoning Hearing Board since 1992.

Joe Fenstermacher made a motion, seconded by Tracy Olsen, to approve the proclamation of thanks to James Fagan. All in favor. Motion carries.

**Township Supervisor Agenda Format.** John McHugh stated his suggested change in the Board of Supervisors Agenda format was to include outstanding items in a section called “Old Business,” where items could be carried over until they are resolved.

Joe Fenstermacher made a motion, seconded by Tracy Olsen, to approve the change to the Board of Supervisors meeting agenda format to include “Old Business.” All in favor. Motion carries.

**Open Forum.**

Bob Witters, Dogwood Drive, asked if it would be possible for Scott Stilson to explain what he does after he tapes the Township meetings. Scott Stilson stated that one could Google or Bing “honeybrookfreshair” or go to Vimeo.com and type in Honey Brook Fresh Air in the search field.

Dave Honey, Fieldstone Road, stated that his property is getting a lot of runoff from the quarry up the hill. Water is coming up through his foundation. David Honey stated that other residents along Fieldstone Road have the same problems. Mr. Honey cited that the quarry is responsible for his problems and he has discussed it with them in the past.

Mike Reinert stated that there have been several complaints received regarding this same situation in the past 10 years he has been the engineer for the Township. It’s been investigated on multiple occasions and also discussed with the quarry. The majority of the problems are related to the dwellings location at the bottom of a significantly large watershed and subsurface drainage issues in the foundations of the homes. Groundwater

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and subsurface drainage are not regulated by the State or local ordinances. Mr. Honey indicated he has contacted a firm out of Maryland to research the matter further.

Joe Fenstermacher stated that David Honey should make up a list of what it is that he feels the Township can address, then file a complaint with the Administration Office. Joe Fenstermacher stated that there are a lot of laws that restrict the Township, however he can submit his complaint and the Board would ask the engineer to investigate the matter further.

**Upcoming Meetings:** *All dates subject to change*

May 15– Parks & Recreation Meeting (7:00 pm)

May 22 – Planning Commission Regular Meeting (7:00 pm)

June 11 —Board of Supervisors Regular Meeting (7:00 pm)

Joe Fenstermacher made a motion, seconded by Tracy Olsen, to adjourn. All in favor. Meeting adjourned at 8:37 p.m.

Respectfully submitted,

Kristy J. Deischer-Eddy