

Honey Brook Township Board of Supervisors Regular Meeting Minutes

January 5, 2015

The regular meeting of the Honey Brook Township Board of Supervisors meeting was called to order at 7:05 pm. Supervisors Tracy Olsen, John McHugh, and Joe Fenstermacher were present, as was Township Manager Antoinette Antonini and Township Engineer Michael Reinert.

John McHugh made a motion, seconded by Joe Fenstermacher to elect Tracy Olsen as chairperson. All in favor. Motion carried.

Tracy Olsen made a motion, seconded by Joe Fenstermacher, to elect John McHugh as vice-chair. All in favor. Motion carried.

In accordance with Resolution 2-1012, it was announced that Scott Stilson, 275 Vincent Drive, was recording the meeting.

**Consent Agenda:** Minutes of December 10<sup>th</sup> regular meeting, minutes of workshop December 4<sup>th</sup> and December 30<sup>th</sup>; and bills/receipts

Joe Fenstermacher made a motion, seconded by John McHugh, to approve the consent agenda. All in favor. Motion carries.

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

		<b>December</b>		
Assets--Gen Fund	\$1,320,531.00	General Fund Receipts	\$79,572.06	
Assets--Cap Reserve	\$943,312.00	General Fund Expenditures	\$120,967.90	
Assets--Op Reserve	\$350,541.00	Cap Reserve Receipts	\$25,959.96	
Assets--State Fund	\$221,513.00	Cap Reserve Expenditures	\$95,335.02	
Assets--Land Pres (working)	\$429,228.00			
Assets--Land Pres Fund	\$906,690.00			
<b>Total Assets</b>	<b>\$4,171,815.00</b>			
<i>total Land Pres</i>	<i>\$1,335,918.00</i>			
		Op Reserve Receipts	\$41.20	
		Op Reserve Expenditures	\$0.00	
		State Fund Receipts	\$27.20	
		State Fund Expenditures	\$25,381.71	
		Land Pres Fund Receipts	\$49,559.83	
		Land Pres Fund Expenditures	\$130,315.68	
		<b>Sinking Fund (Loan)</b>		
		Assets	\$12,347.00	
		Liabilities	\$3,931,661.10	
		<b>Land Preservation (Loan)</b>		
		Assets	\$0.00	
		Liabilities	\$636,766.48	

**Departmental Reports.**

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### **Roads-**

Don Johnson stated that the Roads crew had a good month in December, weather-wise but this week the snow begins. They will use not just salt but also calcium chloride, which helps activate salt down to a lower temperature. Joe Fenstermacher asked if that is what PennDOT is putting down on the roads. Don Johnson said no, that's salt mixed with water to make a brine to apply in advance of a storm. It buys them about an hour of time before the next treatment is needed.

### **Administration-**

Toni Antonini stated that two interns, seniors from Twin Valley High School, will begin at end of this month or the beginning of February.

### **Land Preservation-**

A representative from the Land Pres committee was not present. John McHugh stated the next regular meeting is 8:00 am with the Farmer's Breakfast following at 9:00 am on Tuesday, Jan. 20.

### **Parks and Recreation-**

Toni Antonini stated that this committee's regular meeting night is the third Thursday at 7 pm. They will meet this month to reorganize. Two new volunteers have come forward for recommendation. John McHugh asked if there was any coordination with Honey Brook Borough. Toni stated no, not yet; but it's early in the year.

### **Planning Commission-**

Mike Reinert stated that the PC will reorganize at the next meeting and possibly be looking at drafting an ordinance amending landscaping standards in the SALDO.

### **Board of Supervisors.**

2015 Goals. Tracy Olsen stated that John McHugh had sent out an e-mail with possible goals. John McHugh stated that one thing to be thinking about this year is a small cell tower ordinance. Some municipalities have had communication companies come in to install small cell towers, sometimes not putting them in the best location. By enacting an ordinance ahead of time, then the Township can negotiate the location.

Tracy Olsen asked if there still needed to be an update to the Human Resources (HR) manual. John McHugh stated yes, that hasn't been updated since 2009.

Toni Antonini stated the Board was going to have a workshop as an addition this year on the Thursday prior to the Board meeting or as needed.

John McHugh asked if there was an update to the complaint filed by Jerry Styer. Have inspections been scheduled? Mike Reinert stated that at this point, the party is making progress towards complying with his zoning requirements and U&O and is still within their compliance timeline. Citations will follow at the District Justice office if the timeframe is not met.

### **Announcements.**

None.

**Open Forum.**

Tom Witman, Walnut Road, stated that he apologizes for having missed the last meeting (in December) due to a prior commitment. He is the son of former Secretary/Treasurer Ruby Witman. He thanked the Board for recognizing his mother for all that she did; she would have appreciated it.

Tracy Olsen presented the Certificate of Recognition to Tom Witman on behalf of Ruby Witman, and the Board congratulated him.

**New Business.**

**Grant/not Grant extension Swampy Hollow (Tax Parcel Number 22-4-70) until April 21, 2015.**

Tracy Olsen asked if this is for their planning review. Mike Reinert stated yes, the applicant was at the last PC meeting and needs additional time for approvals.

*John McHugh made a motion, seconded by Joe Fenstermacher, to grant an extension to Swampy Hollow (22-4-70) to April 21, 2015. All in favor. Motion carried.*

**Certify transfer of Transferable Development Rights (TDRs) for TPNs 22-8-8.4A, 22-8-8.4B, 22-8-8.4C and 22-8-8.4D.** Mike Reinert stated that this was a tract of land already certified with TDRs and subsequently, the property was subdivided. This transfer will allow the remaining TDR's from this tract following subdivision to be transferred to the owner for their use. John Good prepared the necessary legal documentation for signatures by the owner and Township.

*Joe Fenstermacher made a motion, seconded by John McHugh, to certify the transfer of TDRs for 22-8-8.41, 22-8-8.4B, 22-8-8.4C, and 22-8-8.4D. All in favor. Motion carried.*

**Grant/not Grant waivers for TPN 22-6-8, Hoover Building Specialists.** Tracy Olsen stated that Mr. Hoover was in attendance. Alan Zimmerman from Commonwealth Engineering spoke on behalf of the applicant.

Mike Reinert stated that the Planning Commission recommends several waivers related to PennDOT based on their review of the Highway Occupancy Permit (HOP) and stormwater management due to recent ordinance amendments.

Alan Zimmerman referred to the December 5<sup>th</sup> letter from Technicon to discuss the following waiver requests.

The first request is to reduce the deceleration lane length from 288' to 175'. The traffic study supports this request as does PADOT so the applicant is asking for this reduction.

*Joe Fenstermacher made a motion, seconded by John McHugh, to grant the waiver to the Subdivision and Land Ordinance (SALDO) section 22-611.2.c. All in favor. Motion carried.*

Alan Zimmerman stated the next waiver request is with regard to the distance between access drives on the property. 200' is required but the proposed location does not meet the requirement when compared to existing access drives on the opposite side of Route 322. Joe Fenstermacher asked Mike Reinert what he thought of the request. Mike Reinert stated that there is no objection to any of these waivers and PADOT has no objection to the location as proposed on the plans.

***Joe Fenstermacher made a motion, seconded by John McHugh, to grant the waiver to the SALDO section 22-615.3(A)(1). All in favor. Motion carried.***

Alan Zimmerman stated that the applicant designed this project under the old stormwater ordinance requirements, however will comply with NPDES criteria as well as components of the updated stormwater ordinance under Chapter 20.

***Joe Fenstermacher made a motion, seconded by John McHugh, to grant the waiver to the SALDO section 22-627.4.C(2). All in favor. Motion carried.***

Alan Zimmerman stated that a 2% slope is required at the bottom of drainage basins. The applicant proposes a flat surface to create a wetland.

***Joe Fenstermacher made a motion, seconded by John McHugh, to grant the waiver to the SALDO section 22-627.7.A.(1). All in favor. Motion carried.***

Alan Zimmerman stated that inlets/outlet structures must be set 6" above the bottom of the basin.

***Joe Fenstermacher made a motion, seconded by John McHugh, to grant the waiver to the SALDO section 22-627.7.B. All in favor. Motion carried.***

Alan Zimmerman stated that the proposed pipes coming out of basin is less than the recommended 1% slope, but it still works with the planned design.

***Joe Fenstermacher made a motion, seconded by John McHugh, to grant the waiver to the SALDO section 22-627.7.C. All in favor. Motion carried.***

Alan Zimmerman stated that the applicant is asking for relief to allow the basin to discharge to the neighboring property, owned by the owner of Honey Brook Hardware at their new location. The drainage will be on his property with his residence. Mr. Reinert stated that the owner of the property has granted permission for its location and an easement is provided.

***Joe Fenstermacher made a motion, seconded by John McHugh, to grant the waiver to the SALDO section 627.7.H. All in favor. Motion carried.***

Alan Zimmerman stated that the applicant's design allows for one tree per 45 linear feet of street frontage rather than the required one tree per 40'.

***Joe Fenstermacher made a motion, seconded by John McHugh, to grant the waiver to the SALDO section 22-629.4.C(5). All in favor. Motion carried.***

Alan Zimmerman stated that the applicant initially laid out the trees per the SALDO, but the applicant instead is looking to provide less than 25% evergreens.

***Joe Fenstermacher made a motion, seconded by John McHugh, to grant the waiver to the SALDO section 22-629.5.E. All in favor. Motion carried.***

Alan Zimmerman stated that the applicant is looking for relief to the limit of 15 contiguous parking stalls.

***Joe Fenstermacher made a motion, seconded by John McHugh, to grant the waiver to the SALDO section 22-629.6.B(1). All in favor. Motion carried.***

Alan Zimmerman stated that the applicant is asking for relief to the 15' planting strip in between rows in the parking lot. The applicant is asking to get rid of that to condense the site.

***Joe Fenstermacher made a motion, seconded by John McHugh, to grant the waiver to the SALDO section 22-620.6.B(4). All in favor. Motion carried.***

Alan Zimmerman stated the applicant is looking to plant less than one third of the trees required for the parking perimeter buffer to preserve visibility to the site.

***Joe Fenstermacher made a motion, seconded by John McHugh, to grant the waiver to the SALDO section 629.6.C(1). All in favor. Motion carried.***

Alan Zimmerman stated that the applicant is looking for relief from the buffering of the buildings from the parking lot and instead placing it buildings on the site.

***Joe Fenstermacher made a motion, seconded by John McHugh, to grant the waiver to the SALDO section 22-629.7.A. All in favor. Motion carried.***

Alan Zimmerman stated that the fire hydrant issue has been decided and a new hydrant will be provided on the final plan, so that concludes the list of waiver requests.

Tracy Olsen asked if anyone in the audience had any comments or questions. Bob Witters, asked if the fire hydrants would be on the same side as the project. Alan Zimmerman stated yes. The placement has yet to be decided but it will be near the entrance to the project along 322.

**Grant/not Grant conditional preliminary plan approval for 22-6-8, Hoover Building Specialists.**

*Joe Fenstermacher made a motion, seconded by John McHugh, for conditional preliminary plan approval for 22-6-8, Hoover Building Specialists, subject to compliance with the TEI review letter dated December 5, 2014. All in favor; motion carried.*

**Approve/not Approve Tel Hai Act 537 Special Study.** Mike Reinert stated that Alex Piehl of RGS Associates was in attendance along with Joe Swartz from Tel Hai to provide an update. There had been correspondence with HRG, who prepared the special study for the Township as part of meeting the sewage planning requirement for the PA Department of Environmental Protection (PADEP) for the Tel Hai campus. All comments have been incorporated into the report. Mr. Reinert reviewed the study along with Fred Ebert, sanitary engineer, and consultants of Tel Hai. The recommendation would be to approve the report, which can then be forwarded to DEP.

Alex Piehl stated that there were two minor edits regarding phasing numbers, which are being incorporated into the report, but there are no additional comments.

Mike Reinert stated that the report's recommendations reflect the stance and position of the Board of Supervisors per previous discussions.

*Joe Fenstermacher made a motion, seconded by John McHugh, to approve Tel Hai Act 537 Special Study. All in favor. Motion carried.*

**Approve/not approve Resolution 1-2015, Fee Schedule.** Mike Reinert stated that every year Technicon proposes a fee schedule for all building & zoning permits for the year. The schedule has to be adopted by resolution every year. The overall permit fee amount has been increased as requested by the Board of Supervisors. All of Technicon's staff hourly rates are the same as the previous year. A \$25 administration fee has also been incorporated to all permit applications to offset the enforcement of the Uniform Construction Code as requested by the Board.

John McHugh asked how these fees compare to other municipalities. Mike Reinert stated that they are still very reasonable & competitive compared to other municipalities in Chester County even with the increase requested by the Board.

Kristy Deischer-Eddy stated that the Brandywine Conservancy planner fees have increased this year by \$5/hour.

John McHugh asked if there was any obligation to seek out other companies for their rates. Joe Fenstermacher stated that the Township looked into other candidates to compare for services and Technicon was far and away the best choice.

*Joe Fenstermacher made a motion, seconded by John McHugh, to approve Resolution 1-2015, Fee Schedule. All in favor. Motion carried.*

**Approve/not approve Resolution 2-2015, Component 2 Planning Module for TPN 22-6-7, 295 Pequea Ave.** Mike Reinert stated that this project requires a resolution for sewage planning module approval. The reason the project requires planning module approval is due to a proposed addition onto an existing dwelling that will generate

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sewage flows in excess of 800 gallons per day. The Township Planning Commission, Chester County Health Department, and Chester County Planning Commission have all reviewed it. Mr. Reinert recommends approval of the module by the Board in order to send it to PADEP for review.

***Joe Fenstermacher made a motion, seconded by John McHugh, to approve Resolution 2-2015, Component 2 Planning Module for 22-6-7, 295 Pequea Ave. All in favor. Motion carried.***

**Old Business.**

Law Enforcement

Study Task Force: Toni Antonini stated that if the Board is amenable, the other municipalities are tonight discussing putting the Study on their respective websites. John McHugh asked if he was correct in thinking the study had no set timeline. Toni Antonini stated correct. Bob Witters, asked for clarification as to what was being put on the website.

Toni Antonini stated that this is the report generated from the Government Services Center after they provided a liaison to the task force to gather facts,

statistics and provide their professional opinion concerning the feasibility for a Regional Police force and what that would entail.

John McHugh stated that three municipalities were looking to cover a region based on a letter of intent signed by all three municipalities. This indicated the interest in creating a task force and performing a study. Once that letter was generated, the task force was formed and was assigned professionals from the Government Services Center to provide a report as to what options are available, what would be involved to start it up, and what costs would be involved.

There was an announcement by Joe Fenstermacher that he has been diagnosed with a health condition that has rendered him unable to continue as supervisor. He stated he cannot put the energy into the position that should be put into it and as such, he is resigning as of January 15<sup>th</sup> and someone is going to be appointed to finish the remaining term.

John McHugh stated that the Board has 30 days to agree on a recommendation for someone to fill his seat. If we cannot come up with one, then it goes to the Vacancy Board for appointment. If the Vacancy Board is unable to render a decision after two weeks, it would go to the County. The Township does not foresee that being necessary.

John McHugh stated that if anyone has an interest in the position to please contact the Township Administration Office.

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Tracy Olsen stated that she personally would like to say that it is a great loss to our Township; Joe has put his heart and soul into his work as supervisor and we will miss that.

Upcoming Meetings: All dates subject to change

January 15—Park and Recreation (7:00 pm)

January 20 – Land Preservation (8:00 am)

January 20—Land Preservation Farmer’s Breakfast (9:00 am)

January 21 – Planning Commission Workshop (7:00 pm)

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

February 11– Board of Supervisor Regular Meeting (7:00 pm)

John McHugh made motion to adjourn; seconded by Joe Fenstermacher. All in favor. Meeting adjourned at 7:46 pm.

Respectfully submitted,

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Kristy J. Deischer-Eddy  
Recording Secretary