

Honey Brook Township
Board of Supervisors
April 12, 2017 Regular Meeting Approved Minutes – 7:00 PM

The meeting was called to order by Chair John McHugh at 7:04 pm with the pledge to the flag. Also in attendance were Supervisors Tracy Olsen & Travis Stacey, Township Manager Steve Landes, Township Engineer Michael Reinert, and Township Solicitor Christopher Hartman.

Announcements

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

Consent Agenda

1. Approve the Board of Supervisors Minutes of the March 2 Workshop and the March 8 Regular Business Meeting.
2. Accept the Planning Commission Minutes of March 23, 2017.
3. Accept the Parks and Recreation Board Minutes of March 16, 2017.
4. Accept the Land Preservation Committee Minutes of March 21, 2017.
5. Accept the March 2017 Township Manager's Report.
6. Accept the March 2017 Financial Report.
7. Accept the March 2017 Zoning and Building Report submitted by Technicon.
8. Accept the March 2017 PA State Police Report.

Tracy Olsen made a motion, seconded by Travis Stacey, to approve the entire Consent Agenda. All in favor. Motion carried.

Presentation: Fiscal Year (FY) 2016 Audit

Peter Barsz, Treasurer, introduced the auditors, Tim Sawyer and Rob Nola, of Barbacane, Thornton & Company LLP, and thanked them for their professionalism. He stated that the Township ended FY 2016 with a little more than \$4.5 million in cash & investments. The General Fund was at \$300,000, so it was a very solid fiscal year.

Tim Sawyer stated that he has worked on audits here at the Township for the last five years and Rob was here doing the field audit the last two years. The Township staff does a fine job putting things together and there are no issues. Tim then presented a summary of the audit.

There being no questions from the audience, the auditors were thanked and retired from the meeting. John McHugh directed that the audit report be posted on the website.

Departmental Reports

1. Kristy Deischer- Eddy, Administrative Assistant: she gave an update at the Western Chester County Chamber of Commerce Municipal Update Luncheon last week. There were five minutes to brag about the Township and the various committees were mentioned. The registration forms for the Half-Day Summer Camp and Tennis Tuesdays are on the website. There will be five weeks of programming this year; nothing during July 4th week. The newsletter has gone to the printer and a proof should be coming back soon.

2. Steven Landes, Township Manager: There is a grant being submitted to the Department of Conservation and Natural Resources (DCNR) for funding assistance for the preparation of a Parks & Open Space Comprehensive Plan. This item was a high priority in the Comp Plan of 2015. This would be the first plan of this type by the Township to take a 10-year look at Parks and Recreation programs, services, areas and facilities. DCNR will likely notify the Township at the end of the year whether a grant was awarded. If the Township is awarded a grant from this very competitive program consultant selection could take place in the first quarter 2018 and planning begin in mid-2018.

Next week, we'll have the bid docs advertised for all the Public Works materials needs for the year including the annual diesel fuel, sealcoating and line painting. Bid documents will also be issued to procure materials needed for the Park Road stormwater system installation including plastic pipe, cast concrete basins and an endwall. The annual asphalt and stone needs will be sourced through Cooperative Sourcing to Achieve Reductions in Spending (COSTARS). Bid results will be reported at next Supervisors workshop meeting.

3. Land Preservation Committee: Shane Hadden reported that the Land Preservation Committee recommends that the Township participate with the Natural Lands Trust to acquire the Lawrence property (Tax Parcel Number 22-10-33), which is item #3 under new business tonight. The Natural Lands Trust is working to acquire this 155 acres parcel straddling the Township and West Caln Township, accessed off of Hill Road. Proposed uses are hiking, hunting, horseback riding, and the like. The Trust has requested that the Township contribute \$175,000 toward the purchase over 10 years. A review of the land preservation fund shows that this contribution can be made.
4. Park and Recreation Committee: Nobody from the committee was present. Kristy Deischer-Eddy stated that the plants for the raised bed garden have been ordered and are due to be delivered. John McHugh stated that Honey Brook Township was the first and perhaps only municipality to have this kind of garden raising produce to go to local food banks.

Kristy Deischer-Eddy stated that Honey Brook Township is the first municipality and may well still be the only municipality with a raised bed garden under the Chester County Food Bank project. There's one at the Community Library and several at various schools. The Committee is working with the Brandywine Conservancy not only on a Park & Recreation Comprehensive Plan but also to install a rain garden in Umble Park. The Trail Study Committee, a sub-committee of Park & Recreation, continues to meet.

Summer Camp and Tennis Tuesday registration forms are available. There are pickle ball pick-up game times scheduled on Mondays and Fridays from 9:00 am until 12 noon starting now through September 29. All ages & abilities are welcome; you don't even need to know about what pickle ball is to come check it out. It's a hybrid of table tennis, badminton, and tennis.

The Great American Cleanup in Honey Brook Township will be April 29. The Honey Brook Environmental Group and girl scouts will team up with the Park and Recreation Board on this. All will meet here at 8:00 am. The bags, gloves, and vests are being provided by PennDOT. Another group will be picking up Park Road on May 27. After many years of people talking about the litter, the interest has finally led to several groups wanting to actively pick it up.

John McHugh asked about opening day for the Little League. Kristy Deischer-Eddy stated it was scheduled for this past Saturday, April 8.

5. Planning Commission (PC): Terry Schmidt of the PC was present. Mike Reinert reported that there are two conditional use applications for kennels for review and an annexation plan to discuss. The Zoning Update Task Force meeting is scheduled for next Wednesday the 19th.

Chris Hartman stated that in certain locations it's possible to obtain approval for kennels, and it's called a conditional use hearing before Board of Supervisors, much like the variance goes before the Zoning Hearing Board, to be certain that the requirements are met.

Open Forum

Angela Dove, Arch Street, stated that she and her husband own the Bark Avenue pet grooming salon on Horseshoe Pike. They questioned whether it would be permitted to move into the former Swampy Hollow on Maple Street in order to grow the business and add boarding.

Mike Reinert stated that the property is zoned Agricultural and the building was previously used for Rural Occupation. He suggested that the Dove's put together a written scope of what they'd like to do and then meet with the Zoning Officer to see how the plan fits the zoning and whether any public hearing are needed for zoning relief or conditional use.

Kathy Murphy, New Village Greene Drive, questioned why the recreation facilities required by the Township's Subdivision and Land Development Ordinance (SALDO) differs from what is being provided by the developer in their community. Mike Reinert stated that the SALDO allows flexibility in what is provided. Such modifications would have been approved when the original plan was approved around 2006.

Kathy Murphy stated that there are two pumps that handle stormwater in the development. She is very concerned that when the Homeowner's Association (HOA) takes over responsibility to maintain the system the HOA may not be financially able to repair or replace the pumps. There is a lot of dirt and stones getting into the stormwater system. She has heard that one pumps costs \$90,000 to purchase and wants to know whether there will be an inspection of the system before the HOA takes over.

Mike Reinert stated that normally the developer and the HOA representatives will meet to review the system condition together with other information including maintenance requirements prior to the system being turned over.

Chris Falencki, engineer for the Village Greene development, stated that the lower end of where the stormwater is managed today is not suitable, which is why that stormwater is pumped up to the top [of the hill]. Floatables, sand, and grease are collected by straining to keep those out of the pumps. The system does require maintenance which is normally contracted.

Chris Falencki also noted that this two pump system has both a large and small pump. The large pump only operates when there is significant rainfall. Most storms are handled by the smaller pump.

Kathy Murphy asked Mike Reinert if there are known issues or problems with such pumps in the Township. Mike Reinert stated that he is not aware of any but that if there are problems the owners are required to fix them.

New Business

1. Tracy Olsen made a motion, seconded by Travis Stacey, to approve the payment of all invoices prepared by the Treasurer. All in favor. Motion carried.
2. Travis Stacey made a motion, seconded by Tracy Olsen, to approve the 2016 Audit for all Township Funds as prepared by Barbacane, Thornton & Company. All in favor. Motion carried.
3. Tracy Olsen made a motion, seconded by Travis Stacey, to approve the recommendation of the Land Preservation Committee adopted at their meeting on March 21, 2017 to commit \$175,000 from the land preservation account towards the purchase of the 155 acre Lawrence Developers Property (TPN 22-10-33), 41 acres of which are in Honey Brook Township. All in favor. Motion carried.
4. Village Greene Phase 3 (22-8-86) Final Plan
 - a. Motion to (grant / not grant) a waiver that eliminates the requirement to build the tennis court shown on the plan but rather to build a horseshoe pit and also to pave portions of the walking trail. During discussion a plan depicting the proposed areas of the trail to be paved was and it was noted that the square footage of trail to be paved should be roughly equivalent to but not exceed the impervious cover associated with the Tennis Court.

Travis Stacey made a motion, seconded by Tracy Olsen, to grant the waiver above. All in favor; motion carried.

- b. Motion to (grant/not grant) Conditional Final Plan approval to the Village Greene Phase 3 Final Plan contingent upon complying with the Technicon review letter dated March 17, 2017; paying a \$15,000 recreational fee prior to plan recording; providing a horseshoe pit in the vicinity of the former tennis court area, and paving portions of the wood chip walking trail (total paved area not to exceed 6,900 SF) as shown on an exhibit plan dated April 5, 2017 with any modifications approved by the Township Engineer.

Chris Falencki stated there is no change to the plan of Phase 3, except to the recreation facilities as described above. The developer acknowledges that final approval from the water & sewer entities is needed and other conditions will be addressed.

Kathy Murphy questioned what will make up the proposed picnic area and noted that there remains a substantial area of bare dirt in the development. .

Chris Falencki stated that there are no details for the picnic area on the plan so the developer will provide a couple of tables and a cooking area. He also noted that the construction areas with bare ground will be planted with grass and that the Township holds financial security in the event that the work is not done.

Tracy Olsen made a motion, seconded by Travis Stacey, to grant Conditional Final Plan approval to the Village Green Phase 3 final plan according to the terms and conditions described above. All in favor; motion carried.

5. Craig Howe (22-7-45) Lot Annexation Plan: Motion to (grant / not grant) conditional final plan approval subject to all items in the Technicon review letter dated April 6, 2017 and posting a \$500.00 annexation escrow with the Township.

Kris Phillips, engineer, stated that the applicant is selling some property to his neighbor, an industrial paint shop right down the street here. They are annexing to Lot 2, the only lot in the Township. I will be getting some deed agreements to our solicitor for review. The applicant cannot combine deeds because some of the property is in the Borough and some is in the Township. (The plan was shown on the screen.) We have an access drive to the portion being annexed, so we need to get an access easement.

Mike Reinert stated that it's a fairly straightforward, simple annexation plan. You have the latest letter we included, dated April 6. The PC did recommend approval and posting \$500.

Travis Stacey made a motion, seconded by Tracy Olsen, to grant conditional final plan approval subject to all items in the Technicon review letter dated April 6, 2017, and posting a \$500.00 annexation escrow with the Township.

6. France Subdivision Plan (22-8-7)
 - a. Motion to (grant / not grant) a waiver from Section 22-621 to only require pins to be installed along the new lot line and not the entire boundary.
 - b. Motion to (grant / not grant) Conditional Final Plan approval subject to all items in the Technicon review letter dated April 6, 2017.

John McHugh stated that Mike France served for many years on Land Pres Committee; it was good to see him in attendance.

Mike France, the applicant, stated that he owns one of the two remaining original family farms in the Township, on Birdell Road. The subdivision will permit the sale of about 60 acres and keep the remaining 38 acres in the family. The land is in Agricultural Preserve.

Mike Reinert stated that there is no planned development and it's a fairly straightforward subdivision. The Planning Commission did recommend approval of the waiver, requiring only pins on the lot lines. There are minimal drafting issues to be resolved, also a non-building waiver from sewage planning.

Travis Stacey made a motion, seconded by Tracy Olsen, to grant a waiver from Section 22-621 to only require pins to be installed along the new lot line and not the entire boundary. All in favor. Motion carried.

Tracy Olsen made a motion, seconded by Travis Stacey, to grant Conditional Final Plan approval subject to all items in the Technicon review letter dated April 6, 2017. All in favor. Motion carried.

7. Travis Stacey made a motion, seconded by Tracy Olsen, to appoint Robert Esposito Jr. as the Honey Brook Township Emergency Management Coordinator, effective immediately. All in favor; motion carried.

Steve Landes stated that the next step is that the recommendation goes to Chester County and then to the Governor's Office.

8. Motion to (support / not support / take no position) on the zoning variance application submitted by Benuel & Amanda Kauffman (22-10-44.4A) to permit construction of an agricultural building within the setback required by the Township Zoning Code.

Benuel Kauffman was in attendance. He stated that the reason for the variance is that we'd like to have the barn go in right where the drive is located.

Mike Reinert stated that the Planning Commission discuss this and took a position of "no position". The proposed barn is located 25 feet off the lot line, and there are some constraints of steep slope. The required setback is 60 feet.

John McHugh asked what impact would there be on zoning if the Board supports this application.

Chris Hartman stated that it's a factor, but your opinion is not binding. I think it's beneficial to [the Zoning Hearing Board] to get input.

Travis Stacey made a motion, seconded by Tracy Olsen, to support the zoning variance application submitted by Benuel & Amanda Kauffman (22-10-44.4A) to permit construction of an agricultural building within the setback required by the Township Zoning Code. All in favor; motion carried.

9. Motion to (authorize/ not authorize) the Solicitor to advertise public hearings to be held during the Board of Supervisors May 10th meeting at 7 p.m. for the conditional use applications submitted by:
 - a. Benuel Kauffman, to operate a kennel at 1991 Beaver Dam Road (22-9-28.1).
 - b. Isaac Fisher, to operate a kennel at 1063 Compass Road (22-6-52).
 - c. Jonathan Stoltzfus to operate a kennel at 265 Long Lane (22-7-62.1).

Travis Stacey asked if the hearings could be spread out over a couple of meetings.

Chris Hartman stated that there's a timing issue to hold the hearing within 60 days of application. We already have asked one landowner to grant an extension because of missing the 60 days by a couple of days. It's possible to spread out the hearings, but only with the applicant's consent. My recommendation is to hold the hearings in May.

Travis Stacey made a motion, seconded by Tracy Olsen, to authorize the Solicitor to advertise public hearings for the May 10th meeting at 7:00 pm for the above three conditional use applications. All in favor. Motion carried.

10. Tracy Olsen made a motion, seconded by Travis Stacey, to grant Tel Hai Retirement Community (22-10-10.1) an extension of time to record the plan for the Cherry Drive Cottage Replacement Project to July 12, 2017. All in favor. Motion carried.

11. Motion to (adopt / not adopt) a Resolution 2017-7 that authorizes the disposal of Township records as permitted by the PA Records Retention Act.

John McHugh asked for informational purposes if this was standard procedure. Steve Landes replied that this is an annual process. The retention period is set according to the State's rules and guidelines.

Travis Stacey made a motion, seconded by Tracy Olsen, to adopt Resolution 2017-7. All in favor. Motion carried.

12. Motion to (approve / not approve) a full financial security release recommended by Technicon in the amount of \$22,316.29 for the Ivan Fisher (22-10-44.6) Storm Water Management Plan.

Travis Stacey made a motion, seconded by Tracy Olsen, to approve the full financial security release recommended by Technicon in the amount of \$22,316.29 for the Ivan Fisher stormwater management plan. All in favor. Motion carried.

Old Business

Streetlight request – South Birdell Road & Horseshoe Pike Intersection:

John McHugh stated that this request came in two months ago. It's a dark intersection.

Technicon Enterprises, Inc. evaluated the intersection and recommend installing a streetlight. Pennsylvania Power & Light (PP&L) will put up the light at no charge provided the Township enters into a contract to purchase the power from them. The annual cost is approximately \$240/year.

John McHugh asked if, in the interim, we want to put reflectors up. Travis Stacey stated that he thought we should put reflectors in for now.

Open Forum

Kristy Deischer-Eddy stated that the offices would be closed on Friday in observance of Good Friday. There will be no walk-up traffic on primary day, May 16, and the next LPC meeting has been moved to May 23rd so as not to interfere with the election proceedings. The office will also be closed on Memorial Day.

Adjournment

Tracy Olsen made a motion, seconded by Travis Stacey, to adjourn the meeting. All in favor.
Meeting adjourned at 8:03 pm.

Upcoming Meetings: Dates are subject to change

- April 13 Trail Study Committee (7:30 pm)
- April 19 Zoning Update Task Force (7:00 pm)
- April 20 Parks and Recreation Committee (7:30 pm)
- April 24 Zoning Hearing Board – Benuel & Amanda Kauffman Variance Application (7:30 pm)
- April 27 Planning Commission (7:00 pm)
- May 3 Zoning Update Task Force (7:00 pm)
- May 4 Board of Supervisors Workshop Meeting (7:00 pm)
- May 10 Board of Supervisors Regular Business Meeting (7:00 pm)
- May 11 Trail Study Committee (7:30 pm)

Respectfully submitted,

Kristy J. Deischer-Eddy, Recording Secretary