

**LONDONDERRY TOWNSHIP BOARD OF SUPERVISOR'S REGULAR  
MEETING II  
Monday, October 27, 2008**

Meeting II of the Londonderry Township (LDT) Board of Supervisors (BOS) was called to order at 7:39 PM by Supervisor-Chairman Richard Brown. Supervisors Richard Brown, Wayne Grover and Midge Leitch were present.

**COMMENTS FROM THE PUBLIC:** Marty Detering was recognized and read a letter written by Hank Detering, Chairman of the Open Space Committee dated 10-28-2008. In the letter Hank expressed concerns regarding possible changes to be made to the plans for Honeycroft by the developer, Brian Campbell. Richard Brown said he appreciated the concerns expressed by Mr. Detering, but no decisions have been made and nothing finalized with regard to Honeycroft. Mr. Campbell has not yet presented his proposal to the BOS. There were no further comments from the public. Richard Brown Closed the BOS Meeting at 7:48 PM.

**HEARINGS:**

Supervisor Brown opened the first Hearing at 7:48 PM.

**AGRICULTURAL SECURITY AREA -**

**ROBERT H. MILLS SR. AND JR. Parcel #46-04-0020 located at  
69 Baker Rd, Cochranville, PA 19330**

Richard Brown noted the following procedures had been implemented:

1. Application was submitted by the owners: 05-02-2008.
2. Acknowledgement of receipt of the proposal: BOS 07-08-2008, Planning Commission 07-15-2008 and 08-19-2008, Open Space 07-16-2008
3. Notice of proposal in Daily Local Newspaper (1 time): 07-14-2008
4. Notice posted in five (5) conspicuous places within LDT 07-14-2008
  - a. Delaware Equine Center
  - b. Manor Presbyterian Church
  - c. Carmar Farms – Located at Rt. 926 and Baker Road
  - d. Canine Partners for Life
  - e. Near proposed property at 69 Baker Road
5. Proposal sent to the Chester County Planning Commission (CCPC) and the Agricultural Security Area Advisory Committee (ASAAC): 08-15-2008
6. Hearing Notice published in the Daily Local Newspaper (1 time): Faxed 10-07-2008, Published 10-13-2008
7. Written Hearing Notices sent to all landowners adjacent to the applicants proposed Ag. Sec. Area property: Mailed 10-08-2008 (19 letters)
8. Hearing Notices posted in five (5) places within LDT (See #4 above): 10-08-2008
9. Hearing at BOS II Meeting: 10-27-2008

Mr. Brown called for comments from the public. There were no comments. Mr. Brown closed the Hearing at 7:55 PM.

The BOS II meeting was reopened at 7:55 PM.

Wayne Grover made a motion to approve inclusion into the Agricultural Security Area the property of Robert H. Mills, Sr. and Jr. designated as Parcel #46-04-0020 at 69 Baker Road, Cochranville, PA 19330. Midge Leitch seconded the motion. The vote was unanimous.

Richard Brown closed the BOS Meeting at 7:56 PM and opened the Ordinance Hearing.

**ORDINANCE HEARINGS:**

Richard Brown opened the Hearing at 7:56 PM and read the Procedures for adoption of the proposed Ordinance.

**A. ORDINANCE HEARING #05-2008: An Ordinance of Londonderry Township, Chester County, Pennsylvania, Regarding Erosion and Sedimentation Control**

The following exhibits had been marked and documented:

1. B-1 Copy of the Board of Supervisors minutes dated 09-22-2008 in which the Board authorized the advertisement for the public hearing on 10-20-2008
  2. B-2 Copy of letter dated 08-18-2008 to the Chester County Planning Commission enclosing the Act 247 Notice and the proposed Ordinance
  3. B-3 Copy of Act 247 Notice
  4. B-4 Letter dated 09-16-2008 from the Chester County Planning Commission to Londonderry Township
  5. B-5 Copy of letter dated 10-17-2008 by Stacey L. Fuller, Esq., to the Chester County Law Library enclosing attested copy of the proposed Ordinance and Public Notice
  6. B-6 Copy of letter dated 10-17-2008 by Christel Barton to Daily Local News enclosing the Public Notice of and the full text of the proposed Ordinance and requested publication.
  7. B-7 Notice
  8. B-8 Proof of Publication of Notice from the Daily Local News
  9. Note that the proposed Ordinance has been available for public review since 10-17-2008 when it was sent to the Chester County Law Library, Daily Local News and the Township Building.
- The Ordinance was reviewed by the Supervisors and the LDT Solicitor
  - Supervisor Brown explained the Ordinance to the audience
  - Supervisor Brown opened the Hearing for comments/concerns: There were no comments.
  - Supervisor Brown closed the Hearing at 8:00 PM

- Supervisor Brown reopened the BOS II Meeting at 8:00 PM. Midge Leitch made a motion to approve Ordinance #05-2008. Wayne Grover seconded the motion. The vote was 3-0 in favor.

Richard Brown closed the BOS II Meeting and reopened the Hearing at 8:02 PM

**B. ORDINANCE HEARING #06-2008: An Ordinance of Londonderry Township, Chester County, Pennsylvania, Amending the Existing Subdivision and Land Development Ordinance, As Amended, and Existing Zoning Ordinance, As Amended, Regarding Erosion/Sedimentation Control**

The following exhibits had been marked and documented:

1. B-1 Copy of the Board of Supervisors minutes dated 09-22-2008 in which the Board authorized the advertisement for the public hearing on 10-13-2008 and 10-20-2008
  2. B-2 Copy of letter dated 08-18-2008 to the Chester County Planning Commission enclosing the Act 247 Notice and the proposed Ordinance
  3. B-3 Copy of Act 247 Notice
  4. B-4 Letter dated 09-16-2008 from the Chester County Planning Commission to Londonderry Township
  5. B-5 Copy of letter dated \_\_\_N/A\_\_\_ by Stacey L. Fuller, Esq., to the Chester County Law Library enclosing attested copy of the proposed Ordinance and Public Notice
  6. B-6 Copy of letter dated 10-10-2008 by Christel Barton to Daily Local News enclosing the Public Notice of and the full text of the proposed Ordinance and requested publication.
  7. B-7 Notice
  8. B-8 Proof of Publication of Notice from the Daily Local News
  9. Note that the proposed Ordinance has been available for public review since 10-10-2008 when it was sent to the Daily Local News and the Township Building.
- The Ordinance was reviewed by the Supervisors and the LDT Solicitor
  - Supervisor Brown explained the Ordinance to the audience
  - Supervisor Brown opened the Hearing for comments/concerns: There were no comments.

Supervisor Brown closed the Hearing at 8:05 PM and reopened the BOS II Meeting at 8:05 PM. Wayne Grover made a motion to adopt the Ordinance #06-2008. Midge Leitch seconded the motion. The vote was 3-0 in favor.

Richard Brown closed the BOS II Meeting and reopened the Hearing at 8:06 PM

**C. ORDINANCE HEARING #07-2008: An Ordinance of Londonderry Township, Chester County, Pennsylvania, Amending the Existing Township Zoning Ordinance Regarding the Definitions of Lot Area, Net and Tract Area, Net and the Area and Bulk Regulations in the RA-2 Residential Agricultural District**

The following exhibits had been marked and documented:

1. B-1 Copy of the Board of Supervisors minutes dated 09-22-2008 in which the Board authorized the advertisement for the public hearing on 10-13-2008 and 10-20-2008
  2. B-2 Copy of letter dated 03-17-2008 to the Chester County Planning Commission enclosing the Act 247 Notice and the proposed Ordinance
  3. B-3 Copy of Act 247 Notice
  4. B-4 Letter dated 04-15-2008 and 04-24-2008 from the Chester County Planning Commission to Londonderry Township
  5. B-5 Copy of letter dated N/A by Stacey L. Fuller, Esq., to the Chester County Law Library enclosing attested copy of the proposed Ordinance and Public Notice
  6. B-6 Copy of letter dated 10-10-2008 by Christel Barton to Daily Local News enclosing the Public Notice of and the full text of the proposed Ordinance and requested publication.
  7. B-7 Notice
  8. B-8 Proof of Publication of Notice from the Daily Local News
  9. Note that the proposed Ordinance has been available for public review since 10-10-2008 when it was sent to the Daily Local News and the Township Building.
- The Ordinance was reviewed by the Supervisors and the LDT Solicitor
  - Supervisor Brown explained the Ordinance to the audience
  - Supervisor Brown opened the Hearing for comments/concerns: There were no comments.

Supervisor Brown closed the Hearing at 8:10 PM and reopened the BOS II Meeting. Wayne Grover made a motion to approve Ordinance #07-2008. Midge Leitch seconded the motion. The vote was 3-0 in favor.

Richard Brown closed the BOS II Meeting and reopened the Hearing at 8:10 PM

**D. ORDINANCE HEARING #08-2008: An Ordinance of Londonderry Township, Chester County, Pennsylvania, Amending the Existing Subdivision and Land Development and Zoning Ordinances Regarding Steep Slope Standards**

The following exhibits had been marked and documented:

1. B-1 Copy of the Board of Supervisors minutes dated 09-22-2008 in which the Board authorized the advertisement for the public hearing on 10-13-2008 and 10-20-2008

2. B-2 Copy of letter dated 04-04-2008 and 05-27-2008 to the Chester County Planning Commission enclosing the Act 247 Notice and the proposed Ordinance
  3. B-3 Copy of Act 247 Notice
  4. B-4 Letter dated 06-26-2008 and 09-16-2008 from the Chester County Planning Commission to Londonderry Township
  5. B-5 Copy of letter dated 10-10-2008 by Stacey L. Fuller, Esq., to the Chester County Law Library enclosing attested copy of the proposed Ordinance and Public Notice
  6. B-6 Copy of letter dated 10-10-2008 by Christel Barton to Daily Local News enclosing the Public Notice of and the full text of the proposed Ordinance and requested publication.
  7. B-7 Notice
  8. B-8 Proof of Publication of Notice from the Daily Local News
  9. Note that the proposed Ordinance has been available for public review since 10-10-2008 when it was sent to the Chester County Law Library, Daily Local News and the Township Building.
- The Ordinance was reviewed by the Supervisors and the LDT Solicitor
  - Supervisor Brown explained the Ordinance to the audience
  - Supervisor Brown opened the Hearing for comments/concerns: There were no comments.

Supervisor Brown closed the Hearing at 8:15 PM and reopened the BOS II Meeting. Midge Leitch made a motion to adopt Ordinance #08-2008. Wayne Grover seconded the motion. The vote was 3-0 in favor.

Richard Brown closed the BOS II Meeting and reopened the Hearing at 8:16 PM.

**E. ORDINANCE HEARING #09-2008: An Ordinance of The Township of Londonderry, Chester County, Pennsylvania, Establishing and Adopting the Official Map of Londonderry Township**

The following exhibits had been marked and documented:

1. B-1 Copy of the Board of Supervisors minutes dated 09-22-2008 in which the Board authorized the advertisement for the public hearing on 10-13-2008 and 10-20-2008
2. B-2 Copy of letter dated 03-24-2008 and 06-06-2008 to the Chester County Planning Commission enclosing the Act 247 Notice and the proposed Ordinance
3. B-3 Copy of Act 247 Notice(s)
4. B-4 Letter dated 05-06-2008 and 07-18-2008 from the Chester County Planning Commission to Londonderry Township
5. B-5 Copy of letter dated 10-10-2008 by Stacey L. Fuller, Esq., to the Chester County Law Library enclosing attested copy of the proposed Ordinance and Public Notice. Also copies of letters dated 10-18-2008 to surrounding Townships notifying them of

Londonderry Township's intention to adopt the Official Map Ordinance on 10-27-2008. (Mailed to 6 Townships)

6. B-6 Copy of letter dated 10-10-2008 by Christel Barton to Daily Local News enclosing the Public Notice of and the full text of the proposed Ordinance and requested publication.
  7. B-7 Notice
  8. B-8 Proof of Publication of Notice from the Daily Local News
  9. Note that the proposed Ordinance has been available for public review since 10-10-2008 when it was sent to the Chester County Law Library, Daily Local News and the Township Building.
- The Ordinance was reviewed by the Supervisors and the LDT Solicitor
  - Supervisor Brown explained the Ordinance to the audience
  - Supervisor Brown opened the Hearing for comments/concerns: There were no comments.

Supervisor Brown closed the Hearing at 8:20 PM and reopened the BOS II Meeting. Midge Leitch made a motion to approve Ordinance #09-2008. Wayne Grover seconded the motion. The vote was 3-0 in favor.

The BOS signed two (2) copies of each of the five (5) above Ordinances.

#### **BUSINESS BEFORE THE BOARD:**

**MINUTES OF October 14, 2008 BOS Meeting:** As the Minutes had previously been emailed to the BOS, read, reviewed, and found to be in order, Richard Brown made a motion to adopt the Minutes of October 14, 2008 as written. Wayne Grover seconded the motion. The vote was unanimous.

**TREASURER'S REPORT:** Richard Brown read excerpts from the Treasurer's Final Report for September, 2008. The BOS thanked Howard Benner for the Report. The Report was accepted as written.

#### **OLD BUSINESS:**

**A. WEST WIND FARMS – EXTENSION ACKNOWLEDGEMENT:** Rich Henryson, Chairman of LDT PC, recommended that the offer of extension, dated 10-16-2008, submitted by Spence Andress of Government Specialists, Inc. for West Wind Farms Subdivision for the time period from 11-12-2008 through 02-10-2009 be acknowledged. Richard Brown made a motion to acknowledge the West Wind Farms offer of extension from 11-12-2008 through 02-10-2009. Midge Leitch seconded the motion. The vote was unanimous.

**B. REDWING MEADOWS/THISTLEWOOD:** On 10-06-2008 Rich Henryson wrote a letter to the new owner of the property, Mr. Rocco Abessinio, to advise him of his options in regard to the proposed subdivision plans known as Redwing Meadows/Thistlewood. Richard Brown read the letter in its entirety. As of 10-27-2008 LDT had not received a response. The PC and Gilmore & Associates have been reviewing both development

plans and will forward their comments on to LDT Solicitor, Stacey Fuller, as soon as they are complete. The extension for the two proposed subdivisions will expire on 12-09-2008. The PC requested permission for Solicitor Fuller to write the necessary denial letter should there be no response to Mr. Henryson's letter. Richard Brown made a motion to authorize Solicitor Stacey Fuller to write a letter of denial for the Redwing Meadows/Thistlewood subdivisions. Wayne Grover seconded the motion. The vote was unanimous. The denial letter will be reviewed by the BOS at the first meeting in December and will be ready to send should Mr. Abessinio not offer an extension of the proposed plans.

**NEW BUSINESS: None**

**ANNOUNCEMENTS:**

- A. BRANDYWINE CONSERVANCY LETTER RE: PROPOSED AES/MID – ATLANTIC GAS PIPELINE:** Secretary Hearne read excerpts of a letter offering GIS mapping services to the Township for a fee. The BOS requested Secretary Hearne contact the Conservancy for further details.
- B. SPEED LIMIT ON ROUTE 41:** Secretary Hearne read excerpts from a letter dated 10-20-2008 from PennDOT granting the request made by the BOS for a speed reduction on Route 41 as it passes through the Township from 55 MPH to 45 MPH. PennDOT noted the contributing factor warranting the reduced speed was the high number of speed related crashes as related to the total number of crashes. The new speed limit should be posted prior to the end of 2008. The Supervisors thanked Midge Leitch for her efforts in reducing the speed limit on Route 41.
- C. LANCASTER COUNTY TAX COLLECTION BUREAU (LCTCB):** Secretary Hearne read excerpts from an email informing all municipalities of the resignation of LCTCB's Executive Director, John Jabour. Secretary Hearne will pass this along to Treasurer Howard Benner for discussion at the November BOS meeting.

**PAY BILLS:**

**ADJOURNMENT:** As there was no further business before the BOS a motion was made by Richard Brown and seconded by Midge Leitch to adjourn the meeting at 8:40 PM. The vote was unanimous.

The Task Force Meeting followed.

Respectfully submitted,

Janice H. Hearne  
Administrative Secretary