

**LONDONDERRY TOWNSHIP BOARD OF SUPERVISOR'S (BOS II) MEETING
Monday, March 24, 2008**

The Londonderry Township (LDT) BOS II meeting was called to order at 7:38 PM by Supervisor-Chairman Richard Brown. Supervisors Wayne Grover and Midge Leitch were also present.

COMMENTS FROM THE PUBLIC:

Mr. John Carnes was recognized. He requested information on the three (3) Ordinances to be adopted at this meeting. Mr. Brown explained there may have been a missed step in procedure and upon advice of the LDT Solicitor the ordinances were re-advertised, hearings held, and votes taken. Further, Mr. Carnes asked about the necessity for amendments to ordinances. It was explained that despite the best of intentions, from time to time existing ordinances require rework to tighten up language and cover bases in a workable manner.

Close Regular Meeting: At 8:00 PM Wayne Grover made a motion to close the regular meeting. Midge Leitch seconded the motion. The vote was unanimous.

Open the Public Hearing for Ordinances: At 8:01 PM Richard Brown opened the Public Hearing.

ORDINANCES:

#01-2008 – AN ORDINANCE OF LONDONDERRY TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA, AMENDING THE EXISTING TOWNSHIP ZONING AND SUBDIVISION AND LAND DEVELOPMENT ORDINANCES REGARDING THE RIPARIAN CORRIDOR CONSERVATION DISTRICT, DEFINITIONS, AND RIPARIAN CORRIDOR MANAGEMENT STANDARDS.

Richard Brown read the Ordinance #01-2008 title and documented the accompanying exhibits:

1. B-2 Copy of letter dated 11-29-2007 to the Chester County Planning Commission enclosing the Act 247 Notice and the proposed Ordinance.
2. B-3 Copy of Act 247 Notice
3. B-4 Letter dated 12-21-2007 from the Chester County Planning Commission to Londonderry Township
4. B-5 Copy of letter dated 03-04-2008 by Stacey L. Fuller, Esq. to the Chester County Law Library enclosing attested copy of the proposed Ordinance and Public Notice.
5. B-6 Copy of letter dated 03-04-2008 by Christel Barton to the Daily Local News enclosing the Public Notice of the full text of the proposed Ordinance and requested publication.
6. B-7 Notice
7. B-8 Proof of Publication of Notice from the Daily Local News.

Richard Brown pointed out the proposed ordinance was available for public review from 11-29-2007 when it was sent to the Chester County Law Library, Daily Local News and the Township Building by the Township Solicitor. Further, the Ordinance was reviewed by the Board of Supervisors and the Township Solicitor. Richard Brown and David Sweet explained the content of Ordinance #01-2008. Supervisor Brown then opened the Hearing for Public Comment/ Concern. As there was no public comment Richard Brown closed the Hearing at 8:07 PM.

Wayne Grover made a motion to approve **Ordinance #01-2008**. Midge Leitch seconded the motion. The vote was unanimous.

Public Hearing for Ordinance #02-2008: Richard Brown opened the Public Hearing for Ordinance #02-2008 at 8:08 PM.

#02-2008 – AN ORDINANCE OF LONDONDERRY TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA, AMENDING THE EXISTING TOWNSHIP STORMWATER MANAGEMENT ORDINANCE AND SUBDIVISION AND LAND DEVELOPMENT ORDINANCE REGARDING RELIEF FROM UNNECESSARY HARDSHIP, MINIMUM PERFORMANCE STANDARDS, DEFINITIONS, AND PROVIDING A LIST OF REFERENCES CITED AND ADDITIONAL SOURCES OF INFORMATION.

Richard Brown read the Ordinance #02-2008 title and documented the accompanying exhibits:

1. B-2 Copy of letter dated 12-06-2007 to the Chester County Planning Commission enclosing the Act 247 Notice and the proposed Ordinance.
2. B-3 Copy of Act 247 Notice
3. B-4 Letter dated 01-04-2008 from the Chester County Planning Commission to Londonderry Township
4. B-6 Copy of letter dated 03-04-2008 by Christel Barton to the Daily Local News enclosing the Public Notice of the full text of the proposed Ordinance and requested publication.
5. B-7 Notice
6. B-8 Proof of Publication of Notice from the Daily Local News.

Richard Brown noted the proposed ordinance has been available for public review since 12-06-2007 when it was sent to the Daily Local News and the Township Building by the Township Solicitor. Further, the Ordinance was reviewed by the Board of Supervisors and the Township Solicitor. Richard Brown and David Sweet explained the origin and content of Ordinance #02-2008 and Richard Brown read the new definition of “attenuate” to the public. Supervisor Brown opened the Hearing for Public Comment/ Concern. As there was no public comment Richard Brown closed the Hearing at 8:12 PM.

Midge Leitch made a motion to approve **Ordinance #02-2008**. Wayne Grover seconded the motion. The vote was unanimous.

Public Hearing for Ordinance #03-2008: Richard Brown opened the Public Hearing for Ordinance #03-2008 at 8:14 PM.

#03-2008 – AN ORDINANCE OF LONDONDERRY TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA, AMENDING THE EXISTING TOWNSHIP ZONING ORDINANCE REGARDING HOME OCCUPATIONS.

Richard Brown read the Ordinance #03-2008 title and documented the accompanying exhibits:

1. B-2 Copy of letter dated 12-15-2008 to the Chester County Planning Commission enclosing the Act 247 Notice and the proposed Ordinance.
2. B-3 Copy of Act 247 Notice
3. B-4 Letter dated 01-04-2008 from the Chester County Planning Commission to Londonderry Township
4. B-6 Copy of letter dated 03-04-2008 by Christel Barton to the Daily Local News enclosing the Public Notice of the full text of the proposed Ordinance and requested publication.
5. B-7 Notice
6. B-8 Proof of Publication of Notice from the Daily Local News.

Richard Brown noted the proposed ordinance has been available for public review since 01-15-2008 when it was sent to the Daily Local News and the Township Building by the Township Solicitor. Further, the Ordinance was reviewed by the Board of Supervisors and the Township Solicitor. David Sweet explained the content of Ordinance #03-2008 and stated this Ordinance replaces/cleans up language from previous Home Occupation Ordinances. Supervisor Brown opened the Hearing for Public Comment/ Concern. As there was no public comment Richard Brown closed the Hearing at 8:17 PM.

Wayne Grover made a motion to approve **Ordinance #03-2008**. Midge Leitch seconded the motion. The vote was unanimous.

Reopen Regular Meeting: At 8:18 PM Richard Brown reopened the Regular Meeting.

MINUTES OF March 11, 2008 (BOS): As the Minutes had previously been emailed to the BOS, read, and found to be satisfactory, Midge Leitch made a motion to approve the Minutes of 03-11-2008. Wayne Grover seconded the motion. The vote was in favor 3-0.

OLD BUSINESS:

- A. 2008 Road Inspection Tour:** It was announced that Roadmaster Allen Reynolds, Engineer Bob Johnston, and Secretary Janice Hearne are to inspect LDT roads on Wednesday, March 26, 2008 at 1:00 PM. The purpose of this inspection is to determine the necessary road repairs for 2008.
- B. Site Tour – Rick Pullin’s Garage:** Bob Johnston and Wayne Grover toured the site of Mr. Pullin’s garage on 03-20-2008. Mr. Pullin has proposed installing two new bathrooms in the auto service garage for the use of office and repair personnel as well as patrons. The existing system on the property which services a trailer has been deemed by the Chester County Health Department (CCHD) to be in working order, but will not handle the additional two toilets and sinks in the garage. The CCHD and the PA DEP has recommended the garage owner install a holding tank for the bathrooms. Mr. Pullin has asked LDT to approve his request for a pump and haul holding tank. There was discussion about the need for LDT to adopt a Pump and Haul Ordinance and, with regard to Mr. Pullin’s property, an agreement between Mr. Pullin, the sewage hauler, and the Township which describes the requirements for pumping and maintenance of the holding tanks that Mr. Pullin will be required to perform and document.
- C. Extensions – Cohen and Heinzman Properties:** Rich Henryson noted that March and April are prime months to establish the possible presence/habitat of bog turtles and that Mr. Heinzman has been officially advised of this. Further it is the recommendation of the Planning Commission (PC) that the BOS acknowledge the offer of a 90 day extension by Mr. Cohen and the approximately 4 month extension offer by Mr. and Mrs. Heinzman.

Midge Leitch made a motion to acknowledge the offer of a 90 day extension from April 1, 2008 through July 1, 2008. Wayne Grover seconded the motion. The vote was unanimous.

Midge Leitch made a motion to acknowledge the offer of an extension from April 29, 2008 through August 30, 2008. Wayne Grover seconded the motion. The vote was unanimous.

Correspondence and Announcements:

Cindy Reyburn: Midge Leitch said that Cindy was out of the hospital, in a shell cast, and able to take short trips out of the house. Secretary Hearne added that the Township had sent flowers and best wishes to Cindy and her family.

ADJOURNMENT: As there was no further business before the BOS a motion was made by Midge Leitch and seconded by Wayne Grover to adjourn the meeting at 8:30 PM. The vote was unanimous.

Respectfully submitted,

Janice H. Hearne
Administrative Secretary