

**LONDONDERRY TOWNSHIP BOARD OF SUPERVISORS' MEETING
TUESDAY, AUGUST 11, 2009**

CONDITIONAL USE HEARING – LINDA LEE MANCHIO

Stacey Fuller, LDT solicitor, opened the Hearing at 7:05 PM. Applicants Linda L. Manchio and her daughter Belinda Manchio were present. Solicitor Fuller explained there was no court reporter present and a transcript would be necessary for the Supervisors to render a decision, the Hearing would be continued until the next BOS II Meeting on 08-24-2009 at 7:00 PM. Solicitor Fuller marked the exhibits and thanked everyone for their attendance. Secretary Janice Hearne was asked to post a notification of the Hearing continuance on the Municipal Building front door.

BOARD OF SUPERVISORS' MEETING

CALL TO ORDER: The BOS I meeting was called to order by Supervisor Richard Brown at 7:25 PM. Supervisors Richard Brown, Midge Leitch, and Township Engineer Bob Johnston were in attendance.

COMMENTS FROM THE PUBLIC: None

MINUTES: The minutes of the July 27, 2009 (BOS II) meeting had been previously distributed to the BOS, read and found to be satisfactory. Richard Brown made a motion to accept the Minutes as written and Midge Leitch seconded the motion. The vote was unanimous.

TREASURER'S REPORT: Excerpts of the Treasurer's Report were read by Treasurer Howard Benner. Richard Brown made a motion to approve the Treasurer's Report as read and Midge Leitch seconded the motion. The vote was unanimous.

OPEN SPACE LOAN / REDCAY CONSERVATION EASEMENT: Richard Brown said the Township is closer to finalization.

TOWNSHIP REPORTS:

A. ZONING OFFICER/BUILDING INSPECTOR: Richard Brown read portions of the Zoning Officer's report. There were six (6) building permits issued and the total fees collected totaled \$2,738.40. Six (6) Use and Occupancy permits were issued and twelve (12) various construction inspections were conducted. Notices were posted for the Conditional Use Hearing for 355 Faggs Manor Road to be held at LDT on 08-11-2009 at 7:00 PM. Mr. Beers spoke with the owner at 198 Baker Road regarding an ongoing trash problem and that there could be additional fines imposed if the trash is not removed. Mr. Beers contacted a Faggs Manor Road resident in response to complaints of a wandering, barking dog and the problem appears to be resolved.

- B. ROAD MASTER:** Richard Brown said Roadmaster Allen Reynolds is currently working on a proposal for tar and chip and scratch coating on some of LDT's roadways. Mr. Reynolds will have his proposal ready for review on 08-24-2009 at the BOS II Meeting.
- C. EMERGENCY MANAGEMENT:** No Report
- D. PLANNING COMMISSION (PC):** Rich Henryson read from the PC Meeting Report of 07-21-2009. The PC was informed by LDT Engineer, Bob Johnston, that testing for septic and water would commence soon on the Londonderry Shops site. The PC selected a map dividing the township into three areas in preparation for compliance with new septic system regulations in conjunction with the Act 537 Plan. Mr. Johnston will complete the Plan in preparation for submission to the PA DEP. Dick Brown and Rich Henryson will complete the Trail Inventory and include an update for the modifications to the Honeycroft trail system. The PC discussed light pollution and lighting technology currently available to reduce light pollution and which would be more economical in regards to electricity costs. The next PC Meeting will be held on Tuesday, 08-18-2009 at 7:30
- E. OPEN SPACE COMMITTEE (OSC):** No report available. The next meeting will be held on Wednesday, 08-19-2009 at 5:30 PM.
- F. HISTORICAL COMMITTEE (HC):** The next HC Meeting to be on Tuesday, 09-22-2009 at 7:00 PM.
- G. WEBSITE/NEWSLETTER:** Jennifer Zduniak said there should be a rough draft of the next newsletter by the weekend. Mrs. Zduniak will write a short article on solicitation she has experienced in LDT and the need for a Solicitation Ordinance in the Township. Darlene Sullivan of Canine Partners expressed her delight in the Newsletter and thanked Jennifer Zduniak for her efforts and skill.

OLD BUSINESS:

- A. NEW DALEVILLE – Hump Removal:** Bob Johnston has been working on this issue and keeping the Township informed of his efforts through emails. Mr. Johnston asked the BOS to review the PECO Application for moving utility poles with particular attention to Item #5 which states:
 “Once PECO Energy’s work is scheduled, work will be completed in accordance with said schedule. Should the confirmed construction date be postponed, municipality will then be responsible for PECO’s re-engineering and will be responsible for all costs associated prior to rescheduling. Should our work begin prior to construction and the construction project be postponed or cancelled, municipality shall reimburse PECO for its work.”

Following a discussion of the above condition Mr. Johnston said the Agreement is problematic with regard to Item #5 and he would not advise the BOS to agree to this condition.

Mr. Johnston explained the hump removal on Street Road will entail lowering the road, sloping the road banks and replacement of utility poles. Mr. Johnston said he was unaware of the existence of any PennDOT drawings at this time, however there are drawings by Arcadia and approved by the township. All utility poles adjacent to the roadwork must be moved prior to the hump removal.

B. NEW DALEVILLE - Open Space Deed of Dedication: Within 5 years of the recorded plans the developer must offer a Deed of Dedication for the Open Space. Solicitor Stacey Fuller is reviewing the Agreement offered by Arcadia with a deadline for document execution by December, 2009.

C. NEW DALEVILLE - Homeowners' Association (HOA): Jason Duckworth, currently President of the New Daleville HOA, will turn over the New Daleville management of the HOA to the residents.

D. NEW DALEVILLE – Columba Traffic Circle: The Township received a letter from Arcadia dated 08-06-2009 delineating a proposal for modifications to the signage and operation of the circle as the plan would make Columba Circle a 2-way street and relocate the stop signs. Mr. Johnston said if the HOA is in charge then they must be made aware of the potential change. Richard Brown said he participated in a walk-through of the area in the Spring, 2009 and the proposal appears to correspond with solutions discussed at that meeting. When asked how her son, Scott Andress, viewed the proposal, Jan Andress said Scott was in favor of the plan. Mr. Johnston will review the proposal to see that it meets the Township's ordinances and is consistent with PennDOT regulations. Once Mr. Johnston's review is complete he will write a letter to the Township.

E. COHEN / LONDONDERRY SHOPS: In a letter dated 07-28-2009 from Brickhouse Environmental, the Township was notified of a pre-application meeting scheduled for 09-11-2009 in which there will be a discussion regarding planning and site testing for wastewater disposal, storm water management, and drinking water supply. Staff from the PA DEP will be attending. Mr. Johnston, along with a hydrogeologist from the Gilmore office, Mr. Toby Tesler, asked to attend this meeting and the BOS gave permission.

NEW BUSINESS:

A. BARTOLI DISTURBANCE / EROSION CONTROL INSPECTION:

Mr. Johnston explained that Mr. Bartoli is constructing a parking lot which will accommodate approximately 80 automobiles. This construction may be outside the approved plans and/or the NPDES Permit. Stormwater management controls will be necessary and Mr. Bartoli must submit new plans for the parking lot. The berm is complete and more mushroom

houses could be built as denoted on the approved plan. Mr. Johnston will contact Mr. Bartoli regarding additional earth moving disturbances.

B. LDT SOLICITATION ORDINANCE REQUEST: Jennifer Zduniak shared her recent experiences with regard to solicitors coming to her door. The most recent solicitation involved the State Police and stolen goods in a van. Richard Brown agreed there was a need to investigate this issue of Nuisance / Anti-Solicitation Ordinances and perhaps request copies of such ordinances already in place in other townships. It would be necessary to provide an exception for legitimate solicitation from charitable groups such as schools, churches, Boy Scouts, Girl Scouts, etc. Richard Brown will consult with township solicitor, Stacey Fuller, regarding such an ordinance and explore strategic locations for posting signs. Jennifer Zduniak said she would include an article on this subject in the upcoming LDT Newsletter. Richard Brown thanked Jennifer for bringing this issue before the BOS.

C. DRIVEWAY / ROAD OCCUPANCY PERMIT FEE: Zoning and Permits Officer, Bill Beers, requested the BOS consider reviewing and revising the Permits Fee Schedule to include a Driveway Permit fee. The BOS and Bill Beers will review all Township fees prior to the end of 2009 and, once adjusted, will approve the new fee schedule in January, 2010.

D. HELIPORT AND HELISTOP ORDINANCE: Richard Brown explained the background which prompted the BOS to consider the necessity for this new Ordinance. An Ordinance has been formulated and Richard Brown made a motion to authorize Township Solicitor, Stacey Fuller, to forward this Ordinance on to the Chester County Planning Commission for Act 247 Review. Midge Leitch seconded the motion and the vote was unanimous.

ANNOUNCEMENTS/CORRESPONDENCE:

A. LAND STUDIES PRESENTATION RE: MICOLUCCI / RAND STREAM ADJUSTMENT PROJECT: On Monday, 08-24-2009 at 7:30 PM, as part of the BOS II Meeting, representatives from Land Studies will present the scope of the project and explain the grant process.

B. MANCHIO CONDITIONAL USE HEARING – CONTINUED: Richard Brown reminded the audience that the Manchio Conditional Use Hearing would be continued on Monday, 08-24-2009 at 7:00 PM.

C. TASK FORCE MEETING CANCELLED - 08-24-2009: Midge Leitch requested the Task Force Meeting following the BOS II Meeting on Monday, 08-24-2009, be cancelled because of the expected length of time necessary for the Manchio Hearing and the BOS II Meeting.

D. MASONIC CHARITIES LETTER 08-03-2009: Richard Brown announced receipt of a letter acknowledging the Township's contribution in memory of Dennis J. Penn, son of Mr. and Mrs. Raymond Penn. Ray Penn is a member of LDT's Planning Commission.

CURRENT BILLS WERE REVIEWED AND PAID IN THE USUAL MANNER.

ADJOURNMENT:

A motion to adjourn was made by Richard Brown at 8:30 PM and seconded by Midge Leitch. The vote was unanimous.

Respectfully submitted,

Janice H. Hearne
Administrative Secretary