

Pocopson Township

P.O. Box 1, Pocopson, PA 19366

Office: 610-793-2151

Fax: 610-793-1944

www.pocopson.org

Board of Supervisors Meeting Minutes 7:30 P.M., Monday, December 3, 2012

In attendance: Supervisors – Stephen R. Conary, Georgia F. Brutscher, Ricki Stumpo; Richard Jensen, Zoning/Code Enforcement Official; James W. Hatfield, P.E., Township Engineer.

1. Call to Order: Conary called the regular meeting to order at 7:30 P.M. and led the Pledge of Allegiance.

2. Announcements: Conary and Stumpo attended the Kennett Area Regional Planning Commission meeting on November 26th. Longwood Fire Company was the sole presenter regarding fair share funding by the municipalities. Conary attended a meeting on November 27th with County officials regarding the intergovernmental agreement for land acquisition for the Route 52 Roundabout. Stumpo attended the Comprehensive Plan Task Force meeting on November 28th. The Task Force will hold a public meeting in March 2013.

3. Public Comment: Terry Gumper requested the status of the investigation of the Lenni Drive property for violations of the Nuisance Ordinance. Zoning Officer continues to monitor the property and will take an informational approach with the current occupant.

4. Public Hearing for Ordinance/Code Amendment Ordinance 2012-7 and 2012-8:

Motion: Brutscher moved, Stumpo seconded, to close the regular meeting at 7:35 P.M. and open the Ordinance Hearing; motion unanimously approved.

Conary reviewed the legal exhibits for each of the Ordinances stating that both have been available for public review since October 22, 2012 and November 5, 2012. An affidavit was received confirming legal advertising. Conary reviewed and called for public comment for the proposed Ordinances as follows:

2012-7 – amending the Code to establish an ordinance regulating peddling and soliciting. Discussion included clarification of the definition of a vendor and enforcement challenges.

2012-8 – amending the Code to add definitions for fences, walls, and other property enclosures and to provide for the installation and inspection, placement and maintenance of those enclosures plus other miscellaneous provisions. No public comment.

Motion: Brutscher moved, Stumpo seconded, to close the Ordinance Hearing and re-open the regular meeting at 7:45 P.M.; motion unanimously approved.

Motion: Brutscher moved, Stumpo seconded, to adopt Ordinance 2012-7: Creating a new Chapter “Peddling and Soliciting”; motion unanimously approved.

Motion: Brutscher moved, Stumpo seconded, to adopt Ordinance 2012-8: Amendment to Chapter 250 of the Code regarding fences, walls and other property enclosures; motion unanimously approved.

5. Public Works Report: it was noted that leaf and branch pick up is complete. General sign and road cleanup is scheduled for the week of December 10th.

6. Planning Commission Report: Board accepted the report dated November 27, 2012 as submitted by Gary Summers, Chairman.

7. Zoning/Code Enforcement Officer Report: no action.

8. Building Permit Application – 63-3-78.3/Lot 3/Marlboro Road Property – James Fritsch, P.E., Register Associates and Applicants Kevin R. and Cathy Koehler appeared before the Board to discuss the following: (a) Progress Print dated October 9, 2012 incorporating the revisions of the Building Permit Plan dated 10/9/2012 discussed during the October 17th and November 21st Planning Commission (PC) meetings; (b) Landscape Site Plan reviewed by the Township Landscape Architect; (c) Township Engineer Review and Comment Letter dated October 23, 2012 and email dated November 20th; and PC recommendation to approve waivers as described by the Township Engineer. A site walk occurred on November 2nd, during which time it was noted by the PC that the interior forest habitat appears to be unhealthy and is almost exclusively poplar trees with a large quantity of invasive species including multiflora rose, honeysuckles, and Canada thistle.

- a. **Discussion** – Hatfield is investigating the driveway grade and specifics of the gravel substrate as it relates to the shared portion of the driveway and the section adjacent to the Wilson property. Jensen voiced concern that the width of the driveway must accommodate adequate turn radius and access for emergency service vehicles.
- b. **Public comment** – the parcel is part of the Final 3-Lot Subdivision Plan of Lands Belonging to Alma D. Struble, recorded June 30, 1992. Bob Struble and Tom Struble were in attendance to provide information regarding the gravel driveway. Nate Wilson raised a collateral issue with regard to liability for potential damage to the culvert under his driveway by construction traffic.
- c. **Applicant comments** – Fritsch indicated that the Applicants will work to meet the provisions of the Review and Comment Letter. They will schedule a meeting with Po-Mar-Lin and Jensen with regard to access for emergency service providers. Board was not inclined to waive 190-30.B(2) requiring common portions of shared driveways to be constructed to residential street thickness, but directed the parties to draft a driveway agreement to accommodate construction on Lot 3 that meets stormwater standards and expresses maintenance responsibilities with the notion that the driveway will be modified with a final top coat when build-out of the 3 lots is complete.
- d. **Motion:** Conary moved, Stumpo seconded, to approve the provisions of the Building Permit Plan as described in the Township Engineer Review and Comment Letter dated October 23, 2012, and email dated November 20, 2012 to modify Section 250-87.M(3)(b) regarding a conditional use hearing and to waive 190-30.B(1)(b) requiring driveway grades not to exceed 12%; motion unanimously approved.

9. Barnard House Steering Committee: Brutscher reported that the Committee met on November 29th to discuss repair work and to evaluate further cost reductions to any potential bid package. Jensen will inspect the House for components relative to code compliance. The next meeting will be held on January 22, 2013 at 4:30 p.m.

10. Old Business:

a. Status Bragg Hill Road – Motion: Brutscher moved, Stumpo seconded, to proceed with a public hearing on December 17, 2012, to adopt the ordinance to vacate a portion of Bragg Hill Road and to authorize the Supervisors, or any one of them, to sign the documents necessary to conduct the public hearing; motion unanimously approved.

Secretary is directed to contact the Township Solicitor's Office to schedule a representative to conduct the hearing on the 17th.

b. Red Bridge bridge – Hatfield reported that the current quote for tubular steel is approximately \$58,000. The steel fabricator will be contacted to clarify the estimate.

11. New business:

a. Auditor appointment: Stumpo noted her recusal from drafting the motion and any subsequent vote upon the motion due to a conflict of interest.

Motion: Conary moved, Brutscher seconded, to nominate Linda Moore to fill the auditor vacancy effective immediately with a term to expire December 31, 2013; motion approved.

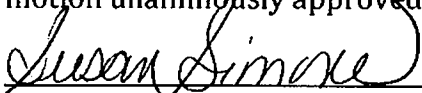
12. Correspondence: no action.

13. Treasurer's Warrants: Conary moved, Brutscher seconded, to approve the Bill Payment Lists for November 20 – December 3, 2012 recommended for payment by the Treasurer; **General Fund:** 17 bills paid totaling \$16,453.76; 7 debit card charges totaling \$795.84; **Escrow:** 1 bill paid for \$3,135.04; **Highway Aid:** 1 bill paid for \$162.95; **Road Improvement Fund:** 4 bills paid totaling \$110,784.52; motion unanimously approved.

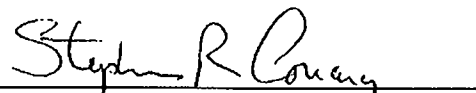
14. Approval of Meeting Minutes: Conary moved, Stumpo seconded, to approve the Budget Work Session Meeting Minutes dated November 5, 2012; motion approved.

Brutscher moved, Conary seconded, to approve Meeting Minutes dated November 19, 2012, as corrected; motion unanimously approved.

15. Adjournment: At 9:00 P.M., Conary moved, Stumpo seconded, to adjourn the meeting; motion unanimously approved.



Susan Simone, Administrative Secretary



Stephen R. Conary, Chair