

**LONDON GROVE TOWNSHIP
BOARD OF SUPERVISORS
MEETING MINUTES
September 8, 2021 – 7:00 P.M.**

The September meeting of the London Grove Township Board of Supervisors was held on September 8, 2021 at 7:00 p.m. in the London Grove Township Meeting Room, 372 Rose Hill Road, West Grove, PA 19390. A public notice was published in the Chester County Press on December 9, 2020.

The agenda was posted on the Township website and at the Township building on Friday, September 3, 2021. The agenda was also sent out through Constant Contact (email) on September 3, 2021. Copies of the agenda were available for attendees.

MEMBERS PRESENT:

David Connors
Stephen Zurl
Christina Fanning

STAFF/PROFESSIONALS PRESENT:

Ken Battin, Township Manager
Shane Kinsey, Public Works Director
Dawn Maciejczyk, Township Secretary
9 Audience Members

CALL TO ORDER:

Mr. Connors called the meeting to order at 7:00 p.m.

ANNOUNCEMENTS/PRESS RELEASES/FUTURE MEETINGS

Mr. Connors announced the next regularly scheduled meeting will take place on October 13, 2021 at 7:00 p.m., the meeting agenda deadline is September 29, 2021 at noon.

I. PUBLIC COMMENT

Mr. Connors called for Public Comment on agenda items. Mr. Bill Grandizio, commented that Mr. Kinsey and the Public Works crew did an outstanding job cleaning out under the bridges. The outcome is remarkable.

II. CORRECTION/ APPROVAL OF MINUTES

The Board reviewed the meeting minutes of August 11, 2021. Mrs. Fanning made a motion to approve the meeting minutes of August 11, 2021 as presented, seconded by Mr. Zurl and approved by a vote of 3-0.

524 Gap Newport Pike Conditional Use Hearing Decision

Mr. Connors stated that he had a statement from Mrs. Camp, Legal Counsel for the Township, regarding the 524 Gap Newport Pike Conditional Use Decision. It stated: The Board will now consider rendering a decision on the conditional use application of R&K Family Partnership, LLC. Applicant owns a 5.09 acre tract of property located at 524 Gap Newport Pike. Applicant seeks conditional use approval pursuant to 27-1002.2.B of the Zoning Ordinance to build storage facilities on the property. The Board held a hearing on August 4, 2021. No individuals were granted party status. The solicitor circulated a draft decision and order which has been reviewed by the manager and the Board. Applicant's counsel also has provided comments on the draft decision. The draft decision would approve the conditional use subject to 12 conditions. I will not read all of the conditions but a summary of the conditions is as follows:

1. Applicant shall comply with the testimony and evidence presented at the hearings;
2. They must obtain all necessary outside agency permits and approvals;
3. Implement the recommendations from the Township Landscape Consultant;
4. Implement the recommendations from the traffic consultant;
5. Revise the plans consistent with some of the comments from the Chester County

- Planning Commission;
6. Install appropriate screening and buffering;
 7. Preserve the historic farmhouse for a period of at least two years and market the same for an adaptive reuse;
 8. Connect the property to public water and public sewer;
 9. Provided interconnections with adjacent parcels if feasible-to be determined during land development;
 10. Install sidewalk along the frontage of the property along Gap Newport Pike.

Mr. Connors asked the Board if anyone had any questions on the decision. Mrs. Fanning stated I would like that house saved. Mr. Connors stated Mrs. Fanning did get the transcripts of the hearing. Mrs. Fanning stated I did get the transcripts and I printed and read through them. Mrs. Shulski, stated I did speak with Mrs. Camp and we have no objection to you doing that and participating in the vote. Shulski, stated that the applicant agrees with these conditions and is actively trying to save the house. They have already marketed the house and will continue to do so for the period of two years. If after two years there is no interest in a viable business for the house the applicant will take the necessary steps with the Township for demolition. Mr. Connors stated the historical house on the property is important to us, the Board and the Township and not to minimize any other conditions but also the interconnecting roadway is important as well. Mrs. Shulski stated we had our engineer investigate that and we believe it will be impractical to do that. I just want to be up front with you. Discussion continued.

Mr. Zurl made a motion to approve the Conditional Use Decision and Order as presented for 524 Gap Newport Pike, seconded by Mrs. Fanning and approved by a vote of 3-0.

III. REPORTS FOR AUGUST 2021

Inniscrone Golf Course

Mr. Connors asked Mr. Battin how the course is. Mr. Battin responded the course is doing well. Mr. Zurl asked how they fared after hurricane Ida passed. Mr. Battin stated not bad, they closed the following day for some minor clean up but no major damage or washouts.

Code Department

Mr. Connors reviewed the Codes Department report, prepared by Mrs. Kellett, Mr. White and Mr. Weer. There were no questions from the Board.

Public Works Department Report

Mr. Kinsey presented the Public Works Department report. There were no questions from the Board. Mr. Kinsey stated the Township received a request for a multi-way stop at Hilltop Road and Garden Station Road, that intersection has a known sight distance issue that cannot be corrected. That being said there have only been two crashes at that intersection one in February 2018 with one injury and one in February 2016 with no injuries. We do not meet the criteria for a multi stop sign there based on the fact that you need at least 5 recordable crashes in 12 months prior and a vehicle count of 300 vehicles per hour for each hour in an 8 hour period. Mr. Kinsey stated before we engage pricing he believes it will cost approximately \$2,500 to \$3,500 for a traffic study. There was a discussion between the Board, Mr. Kinsey and Mr. Battin. Mr. Kinsey recommended not moving forward with it. The Board agreed.

Mr. Kinsey explained that post Hurricane Ida inspections revealed that the already deteriorating Glen Willow Road Bridge has suffered damage that he feels is going to effect if permanently. Basically, that bridge got a lot of debris under it including a large telephone pole that angled upwards under the bridge and wedged into one of the beams, completely warping the beam. It also exasperated the degradation of the steal under the bridge. Mr. Kinsey stated the bridge is temporarily closed and we have an engineer coming out tomorrow (9/9/2021) to take a look at it. Mr. Kinsey anticipates they are going to require the closure of the bridge based on his expertise, looking under it. He wanted to make the Board aware. The Township will be putting a long term detour up once it is approved by PennDOT. Mr. Kinsey spoke with Glen Willow

Orchards and the Public Works Department will be doing some signage for them to keep their business. Mr. Kinsey also added the damage to the FEMA list for Hurricane Ida, there is a potential to get money through the Emergency Declaration, like we did on the Garden Station Road Bridge. He will continue to pursue that through the Emergency Management Coordinator, Robert Weer. Mr. Kinsey stated that the Township Engineer, Ron Ragan is already working to schedule a surveyor and an environmental engineer to come out to try and fast track the replacement of the bridge. Discussion continued with Mr. Kinsey, the Board and Mr. Battin.

Finance Department Report

Mr. Connors reviewed the Financial Report for August prepared by Ms. Guenther. Mrs. Fanning made a motion to approve the Financial Report for August as presented, seconded by Mr. Zurl and approved by a vote of 3-0.

Pennsylvania State Police Report

Mr. Connors reviewed the Pennsylvania State Police Report. There were no questions from the Board.

Monthly Emergency Services Report

Mr. Connors reviewed the Monthly Emergency Services Report. There were no questions from the Board.

Southern Chester County Emergency Medical Services Report

We did not receive the report until 9/7/2021 so it will be added to next month's packet.

Monthly Right-to-Know Report

Mr. Connors reviewed the monthly Right-to-Know report. There were no questions from the Board.

DEP Odor Report

Mr. Connors reviewed the monthly DEP Odor Report. There were no questions from the Board.

Boards and Commissions

Mr. Connors announced there are several vacancies on many Boards and Commissions at this time. Vacancies: Golf Course Advisory Committee (2), Twp. Auditors (2), Environmental Advisory Council (2), Tree Committee (2), Historical Commission (3), Agricultural Security Area (1), and Uniform Construction Code Board of Appeals (3)

IV. HEARINGS

V. FIRST BUSINESS

2022 MMO

Mr. Zurl made a motion to approve the 2022 MMO as presented, seconded by Mrs. Fanning and approved by a vote of 3-0.

2022 Budget Meeting Schedule

Mr. Battin explained that the Board will be presented with a balanced budget for 2022 at the October regular scheduled Board of Supervisors Meeting. At that time they can decide if they would like to hold a standalone budget meeting or just discuss at the October regular meeting. Mr. Zurl stated that he would like a separate standalone meeting in October. The Board agreed. Mr. Battin is working on dates.

Approval of Multi-Municipal Grant Application for Route 41

Mr. Battin explained that many of the surrounding Townships are interested in partnering to help come up with one conceptual plan to get all intersections on one plan. Avondale Borough does not want to participate. Londonderry, Kennett Township, New Garden Township are in. In order for the grant application to move forward we need authorization from each participating Township. Mr. Battin explained that New Garden’s Board has already approved authorization, Londonderry will be going before there Board on September 20th and Kennett Township we are not sure about yet.

Mr. Connors made a motion to approve the Multi-Municipal Grant Application for Route 41, seconded by Mrs. Fanning and approved by a vote of 3-0. Mr. Zurl expressed that he disagrees with this but will vote yes, he just was not making the motion to move forward.

VI. OLD BUSINESS

VII. NEW BUSINESS

Avon Grove High School Homecoming

Mr. Zurl made a motion to approve the Avon Grove High School Homecoming Parade as presented, seconded by Mrs. Fanning and approved by a vote of 3-0.

Mr. Weer stated that while on the topic of schools, the Township had a meeting with Avon Grove School District, Avon Grove Charter School and ABVM was unable to make it, to discuss the traffic situation. School traffic in the morning and the afternoon has been a little extra and we are working with the districts to try and minimize the impact on the traffic.

VIII. LAND DEVELOPMENT

PLANS:

J&L Building Materials Stormwater Management Waivers

Mr. Zurl made a motion to approve the three stormwater waivers as outlined in Mr. Ragan’s letter to Mr. Battin dated July 14, 2021, seconded by Mrs. Fanning and approved by a vote of 3-0.

Cliff Anderson 90 Day Extension- December 27, 2021

Mr. Zurl made a motion to approve the 90 Day Extension till December 27, 2021, seconded by Mrs. Fanning and approved by a vote of 3-0.

Yeatman 90 Day Extension- December 14, 2021

Mrs. Fanning made a motion to approve the 90 Day Extension till December 14, 2021, seconded by Mr. Zurl and approved by a vote of 3-0.

EXTENSIONS

NO ACTION NEEDED

Development	Application	Date Received	90 Day Expiration	Planning Commission Approved
Barbara Yeatman	Preliminary/Final	October 1, 2018	September 15, 2021	
Needham Farms	Preliminary	March 15, 2005	November 4, 2021	
Cliff Anderson	Preliminary	June 30, 2021	September 28, 2021	

Development	Application	Date Received	5 Year Expiration	Planning Commission	Board of Supervisors
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				Approved	Approved
London Grove West	Approved Final	December 22, 2010	May 25, 2022	April 27, 2011	August 10, 2011
Marks Properties	Approved Final	February 26, 2020	December 2, 2025	November 18, 2020	December 2, 2020
Sycamore International	Approved Final	February 24, 2021	May 12, 2025	April 28, 2021	May 12, 2021

IX. PUBLIC COMMENT NON-AGENDA ITEMS

Mr. Bill Grandizio, Chairman of the Zoning Hearing Board, stated that the Zoning Hearing Board would like to express thanks for Mr. Robert Weer, Assistant Zoning Officer now attending the Zoning Hearing Meetings. Knowing that the Board of Supervisors is reviewing the 2022 budget he would like to request an increase in the fee that the Zoning Hearing Board Members are paid per meeting. Mr. Connors thanked Mr. Grandizio for coming and said it would be reviewed.

Mr. Key asked does the Board know what was happening on Rt. 1/Rt. 41 on September 7, 2021. Mr. Weer stated that there was an over turned Tractor Trailer. Mr. Key stated that he got caught in the traffic mess twice. Mr. Weer thanked Mr. Key for bringing that situation up. Mr. Weer would like to have a discussion about directing traffic with PennDOT, not having our Emergency Resources out directing traffic. Mr. Key stated it was a mess.

ADJOURNMENT

A motion was made by Mr. Zurl to adjourn the meeting at 7:54 p.m., seconded by Mrs. Fanning and approved by a vote of 4-0.

Respectfully submitted,

Dawn Maciejczyk
Township Secretary