

October 16, 2019

The Board of Supervisors of Pennsbury Township held a regular meeting on Wednesday, October 16, 2019 at 7 p.m. in the township building. Present: Supervisors Fenton, McIntyre, Scottoline, Solicitor Tom Oeste and Manager Kathleen Howley. The minutes of September 18, 2019 were approved as submitted.

**ACRE Law – St. Rep. Barrar - Rep.** Barrar was present to answer any questions regarding the PA State Acre Law as it relates to the timbering recently done on a 23+ acre lot located on Rt. 1 at the corner of Chandler Road. Because the property owner filed under the Acre Law which protects farming (timbering is considered farming), the owner did not have to obtain township permits. A plan for the work was filed with the Chester County Conservation District and it had the oversight with this project. There was no clean up required in that plan and the land has been left denuded and a mess. There have been many complaints by residents and non-residents who travel Rt. 1. Rep. Barrar explained why this law was put in place for farmers. Residents present stated that this is not a farming operation as it might be considered in the middle of the state. There is a loophole here that needs to be closed. The clearing that was done does not fall within the spirit of the law. Rep. Barrar encouraged people to write their state representatives, and he will be talking to members who sit on AG committees about this in Harrisburg. The Board thanked Rep. Barrar for coming to the meeting and look forward to hearing from him further on this.

Mr. Kitay was present and asked about our follow up on his inquiry regarding land disturbance at 25 E. Pennsbury Way. Mr. Houtman stated he had written Mr. & Mrs. Kahn and did not get a response. Township Solicitor Tom Oeste wrote them a letter requesting they contact Mr. Houtman which they did. Mr. Houtman talked to Mrs. Kahn and she said there will be no further land disturbance and he will welcome to come onto the property and make another inspection which he said he will do sometime next week. Mr. Kitay will follow up at the next board meeting on November 20<sup>th</sup>.

Noah Levine from Congresswoman Chrissy Houlahan's office was present to introduce himself to the township and to give us contact information and what services are offered by their office which is located in West Chester as well as in Reading. Aaron McIntyre asked Noah if there is anything their office can do about the ACRE Law. He said he would check into it.

Mr. Howley reported the **proposed 2020 budget** will be finalized and advertised for posting at the township building on November 6, 2019. It will be considered for adoption at the last Board meeting of the year on December 11, 2019. This will be advertised.

A **Zoning Hearing Board request** for a variance on a building lot on Mill Pond Lane, owner Jennifer Linton, was received by the township and forwarded onto Mr. Foley for scheduling.

**Road Master Report – Dave Allen** – Ms. Howley reported the road crew has been patching pot holes on Cossart Road as well as regarding swales on Shadow Lane and Willow Glen. They continue to trim trees and brush along roads throughout the township.

A **request for Solar Panel roof mount** was received by the township from Manjula Jetpoul living at 1 ½ Constitution Drive. The solar company as well as the applicant, Mr. Jetpoul will appear at the next Planning Commission meeting on Tuesday, October 22<sup>nd</sup> to present their request and get input from the

members. The conditional use hearing for solar panel installation will be on Wednesday, November 20<sup>th</sup> at 6 p.m. in the township building. This will be advertised.

Mr. Oeste reported that he had contacted Emily Smith. She is withdrawing her 2-lot subdivision as well as her request for a conditional use hearing to install ground mounted solar panels.

Matt Houtman reported that he continues to work with Mr. Oeste regarding permission for the township to work on property at 2 West Pennsbury Way to improve drainage in that area. He is also working with him on the Hillspring Road project to correct drainage issues.

Lynn Luft, Historic Commission Chair, was present and submitted to the Board a request to include 3 additional properties in the update of the historic survey. Tom Oeste said the homes must meet our ordinance criteria to be included. Pictures have been taken and Jane Dorchester, consultant, is working on the report. They will be discussed at the HC November 7<sup>th</sup> meeting and the owners will be notified. The Board agreed to continue to move forward with this addition, and it will be on the November 20<sup>th</sup> Board agenda as well as the Hall property which was postponed from tonight and moved to the November meeting at his request.

Dennis Smith stated there was no report from the Planning Commission. A bill list dated October 16, 2019 numbering 1911-19275, State Fund 451, 452 was submitted and approved for payment by the Board. With no further business the meeting adjourned at 8:15 p.m.

Respectfully submitted:

Kathleen Howley  
Township Manager