

**Newlin Township  
Board of Supervisors  
Meeting Minutes**

**February 13, 2017**

**Call to Order:** The monthly Board of Supervisors' meeting of Monday, February 13, 2017, convened at 8:00 p.m. at the Lenfest Center, Cannery Road, Coatesville, PA. Present were Chair, Janie Baird, Bill Kelsall, and Secretary, Gail Abel.

**Announcement Period:** Janie Baird announced that Bob Pearson is out of town and could not attend tonight's meeting. She also announced that the Open Space Committee had its first official meeting on February 6<sup>th</sup> at 7pm and has advertised for a meeting on the first Monday of each month through June.

The Board of Supervisors had a special advertised meeting on January 25<sup>th</sup> at 8pm at The Lenfest Center to discuss Agricultural Preservation and Brandywine Creek Road conditions.

**Comment Period:** There were no public comments.

**Minutes:** The minutes of the special Board of Supervisors' meeting to discuss a Floodplain ordinance which was held on Monday, January 9, 2017 at 7pm were read and reviewed. Bill Kelsall made a motion to accept the minutes, seconded by Janie Baird and the vote was unanimous.

The minutes of the Board of Supervisors' meeting, held on Monday, January 9, 2017 were read and reviewed. Janie Baird made a motion to accept the minutes, seconded by Bill Kelsall and the vote was unanimous.

The minutes of the Board of Supervisors' meeting, held on Wednesday, January 25, 2017 were read and reviewed. Bill Kelsall made a motion to accept the minutes, seconded by Janie Baird and the vote was unanimous.

**Financial Report:** Read by Gail Abel. Bill Kelsall made a motion to approve the financial report, seconded by Janie Baird and the vote was unanimous.

**Emergency Services:**

West Bradford Fire Company: January report was received, 24 total calls, zero in Newlin,

Modena Fire Company: January report was received, 18 total calls, 1 in Newlin.

Po Mar Lin Fire Company: January report not received.

Good Fellowship Ambulance: January report was received showing 3 calls in Newlin.

Longwood Ambulance: report not received

**Right to Know Requests:** The Township had one right to know requests since the last meeting.

**1101 Cannery Road-Mark Turner Lot Line Add On:** Jim Fritch from Regester Associates and Bob McComsey were both present for 1101 Cannery Road.

The "Final Lot Add-on Plan" was prepared by Regester Associates dated July 11, 2016 and last revised February 2, 2017 for Mark & Regina Turner.

Cedarville Engineering Group has completed a review dated February 10, 2017 of the proposed land addition to the Turner property at 1101 Cannery Road from the neighboring Scimeca property for compliance with the application sections of the Township's Subdivision & Land Development Ordinance (SALDO).

A Sewage Replacement System for the Scimeca property, prepared by Evans Mill Environmental, dated February 7, 2017 was reviewed by the Zoning Officer who determined that the project is compliant with Section 312 of the Newlin Township Zoning Ordinance (ZO). An inspection report was received from Eldredge Septic Services dated January 8, 2017. A hydraulic load test was completed, the drain field passed the test.

Waivers are requested from the following sections of the (SALDO):

**Section 908.B.2** Requiring Road Widening – The existing cartway (pavement) width of Kelsall Road is shown on the Plan as 18 feet. The minimum cartway width required by the Ordinance is 30 feet. A waiver request from providing the required road widening has been added to the Plan. Cedarville offers no objections to this requirement being waived for this application. Janie Baird made a motion to approve the Waiver from Section 908.B.2, Bill Kelsall seconded and the vote was unanimous.

**Section 919** for Concrete Monuments - Based on Cedarville's review of the plan, they determined that four concrete monuments are required at 4 locations. The February 2, 2017 response letter from Regester Associates indicates that iron pins were set in these locations. A waiver request from providing Concrete Monuments as required by Section 919 has been added to the Plan. Janie Baird made a motion to approve the Waiver from Section 919, Bill Kelsall seconded and the vote was unanimous.

**Section 303.1** A waiver request for providing a Final Greenway Ownership & Management Plan as required by Section 303.1 has been added to the plan. Cedarville Engineering concurs that a narrative report is not required for this application. Janie Baird made a motion to approve the Waiver 303.1, Bill Kelsall seconded and the vote was unanimous.

Bill Kelsall made a motion to give Final Conditional Approval to Final Lot Add-On Plan, prepared by Regester Associates, dated July 11, 2016, last revised February 2, 2017 with the following conditions:

- \* The Township receives written documentation of PADEP approval of the Planning Waiver & Non-Building Declaration
- \* All outstanding Township invoices are paid in full.
- \* Once these conditions have been satisfied by the Applicant, The Board of Supervisors will sign the Final Plan for recording with the Chester County Recorder of Deeds. Janie Baird seconded the motion and the vote was unanimous.

**1035 Glenhall Road-Rudershausen Lot Line Change:** Andra Rudershausen was present for her Plan titled "Final Minor Subdivision Plan" which was prepared by Regester Associates dated November 23, 2016 and last revised February 8, 2017 for Andra Rudershausen & Alex Heckert.

Cedarville Engineering Group has completed a review dated February 10, 2017 of the proposed subdivision to Rudershausen & Heckert property at 1060 Cannery Road and land addition to the Rudershausen property at 1035 Glenhall Road for compliance with the

applicable section of the Newlin Township Zoning Ordinance (ZO) and Subdivision and Land Development Ordinance (SALDO).

The Zoning Officer has determined that the project is compliant with Section 312 of the ZO.

Subdivision and Land Development:

Waivers are requested from the following sections of the (SALDO):

**Section 303.B.8** Requiring an Improvement Construction Plan – Cedarville offers no objection to this requirement being waived for this application. Bill Kelsall made a motion to approve the Waiver from Section 303.B.8, Janie Baird seconded and the vote was unanimous.

**Section 303.F** Requiring a Final Resource Impact and Conservation Plan – Cedarville offers no objection to this requirement being waived for this application. Bill Kelsall made a motion to approve the Waiver from Section 303.F, Janie Baird seconded and the vote was unanimous.

**Section 303.G** Requiring a Final Improvement Construction Plan - Cedarville offers no objection to this requirement being waived for this application. Bill Kelsall made a motion to approve the Waiver from Section 303.G, Janie Baird seconded and the vote was unanimous.

**Section 303.H** Requiring a Final Stormwater Management and Erosion & Sedimentation Control Plan - Cedarville offers no objection to this requirement being waived for this application, with a condition that a Stormwater Management and Erosion Control Plan will be submitted prior to any grading or development of these parcels. Janie Baird made a motion to approve the Waiver from Section 303.H, Bill Kelsall seconded and the vote was unanimous.

**Section 303.I** Requiring a Final Greenway Ownership and Management Plan - Cedarville offers no objection to this requirement being waived for this application. Janie Baird made a motion to approve the Waiver from Section 303.I, Bill Kelsall seconded and the vote was unanimous.

**Section 908.B.2** Requiring Road Widening and Additional Right-of-Way - Cedarville offers no objection to this requirement being waived for this application. The Township requests additional right of way. Janie Baird made a motion to approve the Cartway width Waiver ONLY from Section 908.B.2, Bill Kelsall seconded and the vote was unanimous.

**Section 303.K.2** Additional Approvals, Certificates and Documents – An offer of Dedication for the ultimate Rights-of-Way for Cannery Road and Glen Hall Road must be added to the Plan unless this requirement is waived by the Board of Supervisors.

A waiver from this section has not been requested by the applicant. The February 8, 2017 Regester Associates response letter indicates that no additional right-of-way is being offered for dedication. No waiver is granted for this. Janie Baird made a motion for not granting a waiver, Bill Kelsall seconded and the vote was unanimous.

Motion to give Conditional Approval to Final Minor Subdivision Plan, prepared by Regester Associated dated November 23, 2016, last revised February 8, 2017 with the following conditions:

The Township receives written documentation of PADEP approval of the Sewage Facilities Planning Module.

Additional right of way granted to the Township.

All outstanding Township invoices have been paid in full.

Janie Baird made a motion, once these conditions have been satisfied by the Applicant, the Board of Supervisors will sign the Final Plan for recording with the Chester County Recorder of Deeds, Bill Kelsall seconded and the motion was approved.

**303 Groundhog College Road Stormwater Management Agreement:** Cedarville Engineering completed a Grading and Stormwater Management review of the proposed Avenue One Building Group for 303 Groundhog College Road Project. The project includes construction of a residence with associated stormwater management facilities. The Township is in receipt of Cedarville Engineering review letter dated January 30, 2017 recommending approval for grading and stormwater management. Bill Kelsall made a motion to approve and sign the Stormwater Best Management Practices and Conveyances Operation and Maintenance Agreement. Janie Baird seconded and the motion was unanimous.

**Agricultural Preservation Zoning:** Janie Baird announced the Supervisors had a special advertised session on January 25<sup>th</sup>. An ordinance was prepared and sent to the County for a review. There were a few minor changes from the first submission. The Planning Commission made a recommendation that the Supervisors proceed with the draft ordinance. The Supervisors then approved a motion by Janie Baird and seconded by Bill Kelsall to send to the County for review. Janie Baird made a motion to set a formal hearing for the possible adoption of the Agricultural Preservation Ordinance for Monday, March 20, 2017 at 8:00pm at The Lenfest Center, Bill Kelsall seconded and the vote was unanimous. It was announced that advertisements will be placed in the Daily Local News on February 27<sup>th</sup> and March 6<sup>th</sup>. Affected properties will be posted the week of March 6<sup>th</sup>.

**Arcelor Mittal Downstream Notification 2017:** Janie Baird announced the Township is in receipt of the annual Downstream Notification letter from ArcelorMittal in accordance with Pa Storage Tank and Spill Prevention Act 32, dated January 24, 2017. ArcelorMittal-Coatesville Operation owns and operates aboveground storage tanks in their plant adjacent to the West Branch of the Brandywine Creek. All tanks are aboveground except for the unleaded gasoline which is underground and holds 12,000 gallons. The total gallons of aboveground and underground is 67,903.

**Brandywine Creek Road Update:** Janie Baird announced that the Brandywine Creek Road barriers are giving away. A letter was sent to Penn Dot dated January 25<sup>th</sup>. The Township had been in contact with Pam Johnson, Civil Engineer from Penn Dot.

The PennDOT Geotech Unit revisited this site on January 30<sup>th</sup>. They determined the road is safe for one lane of traffic, however they want to extend the one lane section about 160 feet east. This would create a one lane section of over 400 ft which the district Traffic Unit determined would not be safe remaining as a two-way one lane section. The PennDOT Traffic Unit is recommending that Brandywine Creek Rd between Harveys Bridge and SR 162 (Embreeville Rd) become one-way east, toward SR 162. They would have to detour Brandywine Creek Rd westbound.

determined would not be safe remaining as a two-way one lane section. The PennDOT Traffic Unit is recommending that Brandywine Creek Rd between Harveys Bridge and SR 162 (Embreeville Rd) become one-way east, toward SR 162. They would have to detour Brandywine Creek Rd westbound.

One proposed route using state owned roads is SR 162, SR 82, Buck Run Rd, Strasburg Rd. The other is to use SR 162 & Strasburg Rd. It may depend on the direction the majority of the westbound traffic comes from if that can be determined.

**Laurel Road Update:** Janie Baird announced that the Township has applied twice for a Multi Modal Grant for Laurel Road and both times were turned down. Janie Baird has been in touch with Randy Waltermyer a prior County employee. Randy has his own Traffic Planning and Design business. He will do some investigation for free. If there is further work that needs done he will provide a proposal. He suggest as next steps, the Township arrange joint meetings with staff from Senator Killion and Representative Roe to request their assistance in arranging a meeting with DCED staff.

Kelly Boone from Laurel Road was there with concerns of the power outage that took place and PECO having a hard time getting to the transformer which is where Laurel road is closed. She requested the Township consider putting up a nice locked gate that can be accessed with a key rather than the concrete barriers that takes a machine to move.

**Proclamation for Pa One Call System to Designate April as: "Pa 811 Safe Digging Month":** A request was received from Pa One Call System requesting a proclamation to designate April as "Pa 811 Safe Digging Month" Bill Kelsall made a motion to sign the Proclamation, Janie Baird seconded and the motion was unanimous.

**Adjournment:** With no further business, Bill Kelsall made a motion for adjournment, seconded by Janie Baird and the vote was unanimous.

Respectfully Submitted,  
Gail Abel  
Recording Secretary

