

**Newlin Township
Board of Supervisors
Meeting Minutes
March 11, 2024**

Call to Order: The Board of Supervisors' monthly meeting convened at 7:30 p.m. on Monday, March 11, 2024, at the Township Garage located at 1751 Embreeville Road. Present were Supervisors Bill Kelsall (Chair), Jim Cornell (Vice-Chair), Bob Pearson and Secretary/Treasurer Gail Abel.

Announcements: Mr. Kelsall announced an upcoming hearing before the Zoning Hearing Board at 7:00 p.m. on March 28, 2024, at the Township Maintenance Facility. The applicants, Courtney and Robert Materdamnik, at property are seeking a special exception under the Township's Zoning Ordinance (Section 240-82.A. – Historic Structures; Adaptive Reuse) for modifications to their barn at 299 Brandywine Drive (known as Indian Deep Farm).

Mr. Pearson marked the recent passing of long-time Newlin residents Ruth Thompson and Marilyn Forney. He noted their extraordinary strength of character and the positive community impact of their time, talents and personalities.

Comments: No public comments.

Minutes for Approval: Ms. Abel presented the minutes of the February 12, 2024, Board Meeting. Mr. Cornell's motion to approve those minutes was seconded by Mr. Kelsall and approved by Messrs. Kelsall and Cornell. Mr. Pearson abstained, as he was not present at the February meeting.

Financial Report: Ms. Abel presented the monthly Financial Report: As of February 29, 2024, the Township had \$415,614.36 on deposit, including \$134,313.84 in general and unrestricted funds. Overall, this represents a net decrease of \$42,235.16 since January 31, 2024. Mr. Pearson's motion to accept the Financial Report was seconded by Mr. Cornell and unanimously approved. Mr. Pearson noted that the Township has enjoyed larger bank balances over the past several years, explaining that the current low balance was mainly due to the unexpected need for repairs to Harveys Bridge Road in 2023 following a partial washout near Embreeville Road. He expressed confidence that tax revenues will increase the Township's bank balances gradually during 2024.

Bill Payment Authorization: Ms. Abel presented a list of pending bills, invoices, and other recurring/routine payments totaling \$59,929.57 (\$43,999.10 from the General Fund Account and \$15,930.47 from the State Liquid Fuel Account) and requested payment authorization. Mr. Pearson's motion to approve the requested payments was seconded by Mr. Cornell and unanimously approved.

Davis Tract Request for Zoning Hearing Letter of Support: Mr. Kelsall recounted that some months ago the developer for the Davis Tract in Mortonville had provided a subdivision proposal calling for public sewer system, but had recently revised its subdivision plan to provide for individual septic systems for each of 16 lots in Newlin Township (plus one adjacent lot in West Bradford Township) after being advised that the Township had no interest in supporting or

operating a public sewer system. He noted that the Davis Tract developer's attorney has now submitted a written request that the Supervisors provide a letter of support in connection with an application to the Zoning Hearing Board ("ZHB") for a variance from the "greenway" requirement in the Township's Zoning Ordinance. The request stated that the greenway acreage shown in the current Davis Tract subdivision plan is only 3.3% short of the greenway acreage required by the Zoning Ordinance.

Edward Lewis inquired if the proposed sewer system would have been for the entire township or just that subdivision. Mr. Kelsall replied that that proposal would have involved just the Davis Tract subdivision and a few nearby properties.

Mr. Cornell noted that the developer's attorney had also requested that the Supervisors' letter of support confirm that if the Zoning Hearing Board nevertheless denies the greenway variance application, the developer would be free to reapply in order to assert that the Township's greenway requirement imposes a hardship on the applicant and amounts to an unconstitutional taking of property without compensation. He urged the Supervisors not to provide that assurance.

Mr. Pearson's motion to provide a letter of support solely addressing the Davis Tract developer's greenway variance application was seconded by Mr. Cornell and unanimously approved.

Road Master Update: Mr. Pearson reported that in addition to some tarring and chipping, there will be two road projects in 2024: The culvert on Laurel Road and improvements to Marlboro Springs Road near Route 842. He advised that the Township Engineer is working on the design, and a wetlands delineation, for the culvert project, and mentioned the possible need for a bog turtle study, which could delay implementation of that project until later in the year. Marlboro Springs Road will be paved from Route 842 to the East Marlborough Township Line.

Mr. Kelsall voiced concern that said the Ridings Way Homeowners Association had installed a stop sign at Laurel Road that does not comply with PennDOT requirements, and that the Township could face liability if it did not require a compliant stop sign.

Chadd Ingram, a Ridings Way resident, asserted that because Ridings Way is a private lane a standard stop sign is not required, and expressed doubt that Ridings Way residents were turning onto Laurel Road recklessly. Mr. Cornell suggested that the Supervisors consult with the Township Solicitor on this matter.

Mr. Ingram reiterated that for aesthetic reasons the Ridings Way residents prefer the stop sign they have installed, but confirmed that if a standard stop sign is legally required for a private lane, they will remove their non-standard sign.

Adjournment: Upon Mr. Pearson's motion, seconded by Mr. Cornell, the meeting was adjourned.

Respectfully Submitted,
Gail Abel, Secretary

