

**Board of Supervisors**

**MINUTES**

December 8, 2009

Jim Brownlow, Chairman, called the meeting to order at 7:30 p.m. and opened with the Pledge of Allegiance. An executive session was held prior to the meeting to discuss legal matters.

**Supervisors Present:** Karen Bedics, Jim Brownlow, Barbara Lindtner, Volker Oakey and Rob Zisko.

**Also present:** Terry Clemons, Solicitor; Sandy Everitt, Secretary/Treasurer; Mark Laudenslager, Chief of Police; and Rich Schilling, Township Manager.

**Public Hearing**

This conditional use hearing is to consider the application of Bruce Lawrence, property owner, and Eve Metzger, his daughter, to use TMP 42-9-102-1 located at 1770 Pleasant View Road for weddings, banquets and other such events on Saturdays from April through October annually. The property is in the Agricultural District and the proposed use can be permitted by conditional use pursuant to Section 402 of the Zoning Ordinance. Because this is a judicial hearing, D. Gail McCarthy, Haines Court Reporting, officially recorded the hearing.

Any resident may comment concerning the application. Those who wished to become *parties* are listed below:

Bandelin, Henry	1783 Pleasant View Road	Coopersburg, PA 18036
Bandelin, Merrile	1783 Pleasant View Road	Coopersburg, PA 18036
Bruckno, Glenn G	2131 Chestnut Road	Coopersburg, PA 18036
Caldwell, Suzanne & David	2345 Deer Trail Road	Coopersburg, PA 18036
Chilton, John & Lorraine	1775 Pleasant View Road	Coopersburg, PA 18036
Doncevic, Steve	1821 Pleasant View Road	Coopersburg, PA 18036
Krause, Gregory C	2061 Deer Trail Road	Coopersburg, PA 18036
McIlwain, Rosi	1879 Pleasant View Road	Coopersburg, PA 18036
McLeod, Lorna	2115 Deer Trail Road	Coopersburg, PA 18036
Nilsen, James & Betsy	1636 Pleasant View Road	Coopersburg, PA 18036
Rafferty, Nicholas & Michele	1824 Pleasant View Road	Coopersburg, PA 18036
Segl II, Walter & Debra	1664 Pleasant View Road	Coopersburg, PA 18036
Silver, Nancy & Larry	1753 State Road	Coopersburg, PA 18036
Snyder, Diane & Artie	2089 Chestnut Road	Coopersburg, PA 18036
Tesla-Berry, Sandra	2005 Route 212	Coopersburg, PA 18036
Uerkvitz, John & Sharon	2147 Chestnut Road	Coopersburg, PA 18036
Whitesell, Bruce	2011 Route 212	Coopersburg, PA 18036

Terry Clemons, Township Solicitor, entered the following exhibits as part of the record:

- T-1 Conditional Use Application form, with property deed
- T-2 Letter to The Morning Call requesting advertisement of the hearing on 11/24/09 and 12/1/09
- T-3 List of property owners within a 500' radius of the property to whom notice of the hearing was sent with a copy of the published legal hearing notice
- T-4 Copy of the Morning Call *Proof of Publication* of the hearing
- T-5 Planning Commission's 2-page recommendation to the Board of Supervisors dated 11/5/2009
- T-6 3-page letter from C. Robert Wynn Associates (written by Timothy Fulmer) dated 11/4/09 evaluating to what extent the application complies with Section 402 and listing some issues that need to be addressed

Catherine Durso, Fitzpatrick Lentz & Bubba, attorney for the applicants, presented two witnesses, Eve Metzger, applicant (2050 Chestnut Road, Coopersburg), and Arthur Swallow, Professional Land Surveyor from AASA Land Surveyors, who were sworn in by the court reporter.

Ms. Durso entered colored copies of the Conditional Use plans for the property as **Exhibit A-1**. She questioned Ms. Metzger about the proposed use of the property, which would involve temporary tents and portable toilets being erected on the property for weekend events to be scheduled on Saturdays from April 1 through October 31. The family would contract with caterers to provide food and beverages on site. The caterers would use the existing barn for the staging area. Events would be from 9 a.m. to 10 p.m. on Saturdays with lights out after 10:30 p.m. 200 to 250 would be the maximum number of guests attending. Parking would take place primarily along the driveway into the property and along pine trees near the barn. All tents and portable toilets will normally be erected one day prior to the event and removed one business day after each event.

Four photographs of the property were introduced and marked as **Exhibits A-2 through A-5**. Ms. Metzger can comply with all the recommendations of the Planning Commission and the Township Engineer, with the exception of Item 6 in the Planning Commission letter pertaining to setting up and removing tents and portable toilets. On occasion, this ss may take up to 2 days before or after an event. Ms. Metzger hopes to hold 15 events a year. She is aware that any events would need to comply with the Township's light and noise regulations contained within the Zoning Ordinance.

Terry Clemons opened the hearing for questions from residents in attendance.

1. **Gregory Krause** - Will banquets fall under the same regulations as weddings? A – Yes Will tents ever be up longer than the possible four days requested by the applicant? A) No Rich Schilling noted that four days would be an extension that would have to be granted, as the Planning Commission recommended that the items be put up one business day before the event and be removed on the next business day after each event. How many tents would be used for each event? A) One large tent (approximately 5,000 sf) and sometimes a smaller tent of no more than 2,000 sf.
2. **Nancy Silver** - Will there be motors running (air conditioners/fans, etc.)? A) No What will happen if you sell the property? A) A conditional use approval goes with the property and a future owner would have the right to operate a banquet facility there subject to whatever conditions are imposed if this request is granted.
3. **Arty Snyder** - Do you have any prior training or experience in conducting this type of business? A) Not in this line of work, but she is a business owner. Is your reason for doing this because people have requested using the property or because it is something you want to do? A) She has thought about this since her own wedding was held there in 2007. Where will power come from to have all the lighting after dark? A) From existing power currently available. No generators will be used.
4. **Bruce Whitesell** - Is there anything in the Zoning Ordinance that defines “banquet” should this conditional use be granted? A) No. Would you monitor the sound level from events or would you depend upon the township to do this? A) The township.
5. **Sandra Tesla-Berry** - Do you plan to have bands/orchestras perform at these events? A) Yes Terry Clemons: Would you rent the facility to a band that simply wanted to do a concert for up to 250 people? A)No
6. **Steve Doncevic** - What are the “other events” referred to in your request—fraternity parties, etc.? A) No fraternity parties; more toward the small, country venue—a party of up to 250 people—birthday parties, showers, etc. When will the last person leave the site? A)10:30 p.m., but outside lights will be off after 10 p.m.
7. **Suzanne Caldwell** - How can people clean up in the dark if the lights go off at 10 p.m.? (Not answered) She is also concerned about the traffic past her road at that hour.
8. **John Uerkvitz** - Will there be security for guests who get out of hand? A) This was handled by the caterer at her families' weddings, but these plans have not yet been finalized. Has a discussion taken place with the police chief about what effect these events will have on traffic? A) A meeting was held.
8. **Sharon Uerkvitz** - What was the construction at the front of your property? A) Verizon put in something that is unrelated to their conditional use application
9. **Walter Segl** - What are the plans for litter and/or rubbish control? A) The caterers and also a maintenance crew that has been hired by her father? When will cleanup start on Sunday? A) 9:00 a.m.
11. **James Nilson** - He is concerned about his livelihood as a farmer on a farm contiguous to their property. In the past, he ceased farming activities on weekends when family weddings were held outdoors. Additionally, there have been multiple traffic accidents already on Pleasant View in front of his property. Has there been a formal traffic study about the effect of the increased traffic if this conditional use is granted? (Will be answered by Mr. Swallow later.) In addition, what will happen when there is a wet period and people are parking on the wet grassy area? A) For her sister's wedding when it was very wet, they put hay and boards down in the areas near the driveway. They will need to discuss this further.

12. **John Chilton** - Asked for clarification about placement/size of tents. *A) Largest tent will normally be behind the barn.*
13. **Lorraine Chilton** - Will alcohol be served? *A) Yes* Are the two ponds behind the house fenced? *A) No*
14. **Rosi McIlwain** – What signs will be used to identify the site? *A) They will be as tasteful as possible and will adhere to the township sign ordinance.*
15. **Glenn Bruckno** - Was a permit required for the family weddings you had? *A) No* Will you need to apply for a permit for each event you hold if this conditional use is granted? *A) She is not certain about this.* He asked for clarification on when the tents, portable toilets and trash containers would be put up and removed, noting that from discussion it seemed Wednesday could be the only day when these items would not be on the property. *A) She agreed this might be true, but will check into this further. She will arrange for trash to be picked up within two days after the event.*

Terry Clemons noted that the Planning Commission recommended one day for pre/post setup/teardown of tents, etc. The applicant requested two days, not two business days, and that request has not yet been granted. Terry asked if Ms. Metzger would produce a contract for the Board that would require the portable toilet and tent companies to deliver and pick up the toilets one business day before and after each event, unless there was a weather condition that prevented it. *A) These companies have been hesitant to enter into a blanket contract, but want to deal with her on an event basis. She will try to obtain a commitment from the companies for the “business day before/business day after.”*

**Glenn Bruckno** (cont'd) Who will determine if the sign on the property are “tasteful” and will it be illuminated? *A) There is currently no sign designed.*(Terry Clemons stated that internal illumination is not permitted, but there may be the option of a light shining on the sign, although he cannot comment officially that this is true without reviewing the ordinance. However, the sign must comply with the sign ordinance.) What security plans do you have to contain people on your property during events? *A) There will always be family members present and if the use is granted, they may hire security people to cover events.* What is the nature of the business you are currently in? *A) Vice-President of Bethlehem Apparatus Company in Hellertown* Is it part of your application to have private security for these events? *A) No*

16. **Nicholas Rafferty** - How do you plan to control the volume of music so as not to violate the noise ordinance? *A) She will work with the township on this issue and put into musicians’ contracts that they cannot exceed whatever that level is. She agreed to comply with a request from Terry Clemons that any musicians would play inside a tent.* How will you handle a situation where emergency service vehicles are required and the grounds are soft from rain? *A) The engineer will address these concerns in his testimony.* Are there plans for controlling alcohol consumption and addressing concerns about intoxicated drivers? *A) The caterers will handle that.* Terry Clemons: If approval is granted, will you agree to a condition that there would be a provision in the caterers’ contract that they would not serve any visibly intoxicated person and they would ask them to leave the premises? *A) Yes* In a letter the Raffertys received, there were two comments of concern—“at this time” and “as of now.” These suggest additional uses are planned in the future. What did you mean by these comments? *A) Terry Clemons clarified that if the conditional use is granted, it would be based upon the current requested activities. Any use changes would require another conditional use hearing before they could take place.* Will you agree that there will be no generators used as part of the conditions? *A) Yes* How will you handle the prejudice issues that may arise when you refuse to have certain types of events such as fraternity parties? *A) Ms. Durso (applicant’s attorney) said that fraternity parties; birthday parties, etc. are not legally protected classes. Additionally, the marketing will be for banquets and weddings. She can discriminate on classes not covered by law.* How can a complete breakdown of the entire operation after an event take place in 30 minutes between 10 - 10:30 p.m.? *A) It will continue at 9:00 a.m. the next day—Sunday*

**Michele Rafferty** - Are two roads required in and out of your property if this use is granted? *A) No* If this is approved and you do not comply with the conditions, what will happen? *A) If approved, Terry Clemons will propose adding that if any conditions of the approval are violated, they can be enforced in the same manner as violation of a zoning ordinance—notice to correct, fines per day if not corrected, etc.* If the use is granted, can it ever be revoked? *A) Terry Clemons said that it might be possible to have a condition that if there are more than a certain number of violations per year, it would be grounds for revocation of the conditional use.*

17. **Henry Bandelin** - Will you abide by the Noise Ordinance regulations? *A) Yes*  
**Merrile Bandelin** - Should this use be granted, if anything did occur at an event, whom should we call?  
*A) Call the applicant first at numbers they would provide as a condition if approval was granted.*
18. **Rich Schilling (Township Zoning Officer)** Looking at the proposed tent location behind the barn, do you feel you have addressed the zoning ordinance requirements in relationship to setbacks from a pond, wetland or a

floodplain? How many feet do you estimate the tent will be from the floodplain or the pond? A) *This will be answered by Mr. Swallow.*

There being no further parties, Arthur Swallow, Professional Land Surveyor from Arthur A. Swallow Associates, testified. He addressed parking first. There is an existing 550' (with an additional 400' surrounding the existing house) long, 10-foot wide driveway with a grass area suitable for parking approximately 94 vehicles in a 10' wide, 20' deep spots (single tier). There will be a 7' aisle on either side of the driveway maintained to permit ease of access to and from the parking spots (visualized on page 2 of Exhibit A-1). The parking accommodations shown comply with similar type events in the Zoning Ordinance. Site distance exiting the property is adequate.

Mr. Swallow met on the site last week with the applicant, Police Chief Laudenslager, Fire Chief Helm and Mr. Schilling and emergency vehicle access was discussed. The Fire Chief said in case of a fire, a hose would be laid down the access road of the property. Should that occur, parked cars would leave using the grassy areas to either the right or the left of the driveway, thus not interfering with emergency operations.

The distance from the closest tent (in front of the barn) to the property line is 500', which the applicant plans not to use for most events. All of the tents are located outside of the floodplain. He does not feel a tent is a structure, and thus the setbacks of the Ordinance would not apply to them. He classifies this use as falling under Accessory Farm Entertainment use. He feels traffic generated from this conditional use would generate a more controlled traffic flow than other uses permitted by-right in this category, as this is not an event open to the public where cars would arrive and leave sporadically during the hours the event is open.

**Gregory Krause** – What kind of trucks will the caterer and/or the tent company be using? Will the access to the property be appropriate for larger trucks if they will be used? A) *The driveway is adequate to handle any vehicle that is permitted to travel on a public road.*

**Nancy Silver** – What is the distance from the tents to the back property line? A) *800 – 900'* Will anything be erected for storage in the backfield behind the pond? A) *Not requested as part of the Conditional Use application.* Since there is no fence around the pond, if someone drowned in the pond, could the township be sued? A) *Ms. Durso, the applicant's attorney, and Terry Clemons, the Township's attorney, do not believe the Township would be liable in such a situation. The property owner would assume the liability.*

**Artie Snyder** – What is the parking capacity—number of cars? A) *94 vehicles* easily, with tighter restrictions applied additional cars could be parked for large groups.

**Bruce Whitesell** – Do you feel this falls under the Accessory Farm Entertainment category? A) *Yes.* How do you make a distinction between a restaurant use and the Accessory Farm Entertainment use? A) *A wedding is a social opportunity where food and drink are provided as part of the hospitality; however, the food and beverages are not for sale as would be the case in a restaurant.*

**Steve Doncevic** – Do you think that guests drinking alcohol and listening to Rock & Roll will be any more intensive with respect to external impacts and nuisances than families that go to other farming accessory events? A) *Did not feel this was in his technical field to answer.* Will buses be utilized for guests? A) *That is a possibility—either a bus or a limo. If the Fire Chief does not have a problem getting a fire truck down to the property, there should be no problem with a bus, since there is a turnaround.*

**Walter Segal** – Where will the portable toilets be located; will they be visible from the road? A) *That will depend on the size of the party and how the clients want to have the tents situated. Ms. Metzger said she is meeting with the Bucks County Department of Health tomorrow. They will advise her where these should be placed. For their family weddings, they were between the pine trees and the apple trees in front of the barn and were not visible from the road.* Will the decibels be measured at the property line? A) *Terry Clemons – Yes, at any point along the property line.* Could the events be limited to twice a month instead of every week? A) *Terry Clemons – The application currently is requesting permission to hold a single event each week. The Board will determine whether to grant that request.* What is the electrical service available? A) *He didn't know the exact voltage, but it appears there is plenty of electricity to handle the needs of the events.*

**John Chilton** – Since you compared this use to the Accessory Farm Entertainment use, did you consider the requirement under that section to have two means of access? A) *Only to the degree of accommodating emergency vehicles and evacuating vehicles over the grassy gentle slopes from the grass to the road*

**Glenn Bruckno** – Has the applicant contemplated any improvements to the electrical service? A) *No* Is the electrical service currently available capable of supplying power to equipment that would produce sound and/or light? A) *Yes*

**Nicholas Rafferty** – What if more than 94 cars must be parked? A) *Double tiers of parking can be used. When would they be used if the grounds are wet? A) It would be put down prior to the event. Will there be an answer provided regarding the air conditioning noise? A) Ms. Metzger will need to address that issue.*

**Michele Rafferty** – Can you clarify your statement that this conditional use is similar to the Accessory Farm Entertainment use but it is not an Accessory Farm Entertainment use? A) *It falls in that category in that it is closely related to a farm entertainment or accessory use.*

**Henry Bandelin** – Is the sale of alcohol permitted under the Accessory Farm Entertainment use? A) *Alcoholic beverages will not be sold at any event. Will amplifiers be permitted? A) Yes, as long as the noise generated does not exceed the Township's Zoning Ordinance.*

**Terry Clemons** – Where and how will the parking comply with requirements of the ADA? A) *Not certain how the ADA would apply to a temporary venue such as this. This will need to be reviewed if the application is granted. Will the applicant agree to a condition that parking will not be allowed within the right-of-way of Pleasant View Road? A) Yes If directed by the Zoning Officer, will you agree to erect "No Parking" signs on event days to prevent this? A) Yes If the application is approved, would you agree to a condition that the Police and Fire Chief would approve the means of emergency access that you are proposing? A) Yes*

**Richard Schilling** – Is the applicant willing to have an inspection by the Township's UCC Code Administrator to be certain that the barn is a commercially acceptable for a staging area for the caterers? A) *Yes How far is the tent from the pond? (A) Approximately 100'*

**Terry Clemons** to Rich Schilling: What distance do you feel must exist between a tent and the pond? A) *75' – He feels the intent of the Ordinance is clear—they do not want disruptions within the buffer margin area.*

**Terry Clemons** to the applicant – Will you agree that no tent shall be placed closer than 75' to the shoreline of the pond? A) *Yes*

Because of the hour (10:00 p.m.) and the number of agenda items still to be addressed, the Hearing was continued until the next regular Board meeting on January 12, 2010. Ms. Durso asked if the full board would be available on January 12 and was assured they all planned to be present. At the January 12 meeting, parties may present testimony under oath and they may be questioned by the applicant's attorney. Other residents will also have an opportunity to make statements, as would the applicant's counsel. After that, the record will be closed and the Township has 45 days after that to issue written findings of fact based upon the vote taken by the Board of Supervisors. The applicant and every person who is a party will receive a copy of the findings. There will be a 30-day period in which the decision can be appealed to the Court of Common Pleas in Doylestown. Rich Schilling noted that because this will be a continuance, notices will not be mailed to neighboring property owners, although he will repost the property with the updated hearing schedule.

Rob Zisko **moved** to continue the Lawrence Hearing until January 12, 2010, at 7:30 p.m. in the Township Building unless the Township Building is posted with a notice that the hearing will take place at the Springtown Fire Department, Jim Brownlow **seconded** the motion. Residents were told to contact the township by phone to learn of the meeting location and the information will also be available on the township website on Monday, December 14. Jim Brownlow called for the question. The motion **passed** unanimously.

### Minutes

Rob Zisko **moved** to adopt the minutes of the October 27, 2009, and the November 24, 2009, meetings as presented. Barbara Lindtner **seconded**; the motion **passed** unanimously.

### Bills for Approval

Karen Bedics **moved** to approve the following bills paid from November 21 through December 8, 2009:

- |                    |              |                               |             |
|--------------------|--------------|-------------------------------|-------------|
| 1. General Fund    | \$ 24,996.96 | 4. Open Space                 | \$ 4,500.00 |
| 2. Liquid Fuels    | \$ 3,163.39  | 5. Subdivision Escrow Account | \$ 5,493.00 |
| 3. Highway Capital | \$ 2,286.12  |                               |             |

Rob Zisko **seconded**; the motion **passed** unanimously.

### Reports

**Road Department** - Accepted as presented (posted ).

**Police Report** - (Posted on website) – Discussion tabled until the next regular meeting.

**Manager's Report** – Rich Schilling indicated there was no news on any of the grant requests.

## Public Comments on Agenda Items

**Bruce Whitesell** regrets that he felt it necessary to send a letter to the editor of The Intelligencer about minutes not being approved and placed on the website in a timely fashion. He addressed this issue with the Board in March and was told it would be dealt with. Barbara Lindtner commented that a lot of work is required by the staff and the supervisors to prepare the budget that will be adopted later this evening. Rich Schilling assured Bruce that the township does the best they can with available personnel to get minutes approved and online in a timely manner.

### Old Business

**1. Adoption of the 2010 Budget** – Barbara Lindtner **moved** that the 2010 budget be adopted as advertised. Rob Zisko **seconded**. Volker Oakey commented that after reviewing the 2009 year-to-date budget, he was amazed how close the figures were to what was forecasted—\$40,000 short on a \$1,500,000+ budget. Rich Schilling added that income received after the November report was published has actually put the revenue over the budgeted amount. Volker feels very comfortable about the flat projections assumed in the 2010 budget. He is glad that a conservative approach was taken on both the 2009 and 2010 budget and is pleased with the outcome. Jim called for the question. The motion **passed** unanimously.

**2. PPL Activities at the proposed substation on Hickon Road** – Rich Schilling, Zoning Officer, has received complaints about and has observed on site visits that PPL has been moving ahead with little regard to the PUC decision and the mandates contained therein or for the Township's permitting requirements. An enforcement action by Rich has halted the work for the time being. Jim stated that PPL is not complying with the PUC ruling on the substation, and that even though it is under appeal, the PUC ruling stands until something changes it. Second, they are not filing the required paperwork with the Township. Jim asked Terry Clemons what steps the Township can take to correct this. Terry Clemons made several recommendations.

A Notice of Violation was posted which resulted in a request for a meeting to be attended by PPL counsel, the Township Manager and our consultants to discuss a procedure to implement the conditions of the PUC decision. That meeting will take place in mid-December. If the meeting is productive, there may be no need for further action. If PPL takes the position that they are not bound to submit plans to the Township simultaneous with their submission to other agencies, then Terry recommends the Township file a complaint with the PUC for PPL's non-compliance with the PUC's order.

Karen Bedics **moved** to authorize Terry Clemons to move forward with the actions he outlined, but to keep the Board informed what actions he feels are needed. Volker Oakey **seconded**. Terry added that the PUC decision requires that PPL submit copies to the Township of all applications, engineering drawings and other materials submitted to regulatory agencies and that they provide an opportunity for the Township to comment and/or make suggestions on those applications. He believes that implicit in that order is that the Township must get the information simultaneously with their submission to the other agencies in order to give an opportunity for the Township to comment. Jim called for the question. The motion **passed** unanimously.

### New Business

**1. Open Space Resolutions for Easement Acquisitions** - Terry Clemons introduced the open space easement acquisitions being considered.

**Gerald L. and Cynthia McCurdy** – TMP 42-009-037 which is located on Richlandtown Pike. The township contribution for this easement will be \$125,400.

Rob Zisko **moved** to adopt Resolution 2009-021 authorizing acquisition of the conservation easement on the McCurdy property of 24.1 acres of TMP 42-09-037, authorizing the Supervisors and the Township Manager to execute the documents related to the acquisition. Barbara Lindtner **seconded**; the motion **passed** unanimously.

**Steven C. Sandy** – Donation of a conservation easement on TMP 42-017-045 and 42-017-046-1, located at 3550 Haults Bridge Road, and totaling 22.637 acres.

Rob Zisko **moved** to adopt Resolution 2009-022 authorizing the acquisition by gift of the Sandy conservation easement on 22.637 acres of TMPs 42-017-045 and 42-017-046-1, and authorizing the Supervisors and the Township

Manager to execute the documents related to this acquisition. Barbara Lindtner **seconded**; the motion **passed** unanimously.

**Kimberly Hirschman and Edward Giera** – TMPs 42-021-002 and 42-012-084, located at 2332 Kunsman Road and totaling 58.4 acres.

Barbara Lindtner **moved** to adopt Resolution 2009-023 authorizing the acquisition by gift of the Hirschman/Giera conservation easement on 58.4 acres on TMPs 42-021-002 and 42-012-084, and authorizing the Supervisors and the Township Manager to execute the documents related to this acquisition. Volker Oakey **seconded**; the motion **passed** unanimously.

Rich Schilling noted that these three easements constituted over 100 acres of additional preserved land.

2. **Assignment of Agreement dated 1/13/09 – SAIC to Benham Companies, LLC** – Rich Schilling said the Township authorized and signed an agreement with SAIC at the beginning of 2009. SAIC and the Benham Company, LLC, are combining forces and until the merger is completed, SAIC will be working under the Benham Company name. Barbara Lindtner **moved** to authorize Rich Schilling to execute the assignment and send this to SAIC. Karen Bedics **seconded**; the motion **passed** unanimously.

#### **Public Comment**

**Rudy Reshetar**, Reshetar Custom Homes, indicated that he sold the last property they had in The Ridings subdivision in a short sale this week. He obtained a Use & Occupancy inspection two years ago in April 2007. However, the sale at that time did not go through. In the meantime, that U & O was misplaced. He came in to get a copy of the U & O, which he obtained and gave to his realtor. He later received a call from Rich Schilling indicating that the U & O had actually expired (they are only good for one year) and that he would need to pay a new U & O inspection fee and have the property re-inspected. Because Reshetar Custom Homes is going out of business, Rudy is requesting the Board of Supervisors to waive the fee of \$150 for the U & O. All the proceeds from the sale of this homewill go to the bank. Rob Zisko **moved** to authorize that the fee for the re-inspection to obtain a U & O for the final home being sold in The Ridings on Woodbyne Road be waived. Barbara Lindtner **seconded**; the motion **passed** unanimously.

**Steve Doncevic** commended the Supervisors for their efforts to conserve open space and for all the work they do to maintain the character of the Township.

#### **Supervisors Comments**

**Karen Bedics** provided information to the Board from the Penn Futures *PA Works* initiative. Karen read the ten Keystone principals. Karen **moved** that the Board authorize Rich Schilling, Township Manager, to send an organization endorsement form to Penn Futures Pennsylvania works initiatives. Rob Zisko **seconded**; the motion **passed** unanimously.

Barbara Lindtner **moved** that the December 22, 2009, Supervisors meeting be cancelled. Karen Bedics **seconded**; the motion **passed** unanimously.

Barbara Lindtner **moved** that the Pawar Subdivision be denied for the reasons set forth in the Township engineer's review of October 19, 2009, unless the Township receives an extension by 12/31/09. Karen Bedics **seconded**; the motion **passed** unanimously.

#### **Adjournment**

At 11:0 p.m., Jim Brownlow **moved** to adjourn the meeting. Karen Bedics **seconded**; the motion **passed** unanimously.

Respectfully submitted,

Sandra L. Everitt  
Secretary/Treasurer

Next meeting: January 4, 2010  
Approved: January 12, 2010