

**UPPER OXFORD TOWNSHIP  
OCTOBER 13, 2008**

The Upper Oxford Township Board of Supervisors held their regular monthly meeting at the township building, 1185 Limestone Road, Russellville, PA on Monday, October 13, 2008 at 7:00 P.M.

PRESENT:       Betsy E. Huber  
                  Scott A. Rugen  
                  Charles Fleischmann

                  Jane Daggett, Secretary  
                  John Coldiron, Zoning/Bldg. Inspector  
                  Tom Guhl, Road Master  
                  Frances Reyburn, Historic Commission

OTHERS:	Bob Prewitt	Bob Sexton
	Barb Hogstrom	Valerie Racine
	Henry Herensperger	Mike Davey
	Gary Calibey	Sam Reyburn
	Fran Sharon	Franny Sharon
	Rick Rettig	Bill Rawle
	Elisabeth Bradley	John Bradley
	Ed Jefferis	Harold Bryson
	Jim Gordon	John Jackson
	Robert Hook	

After the Salute to the Flag, Betsy Huber led in prayer.

**PUBLIC COMMENTS** – At this time, public comments were asked for from the audience. Bob Hook questioned the Supervisors on the status of his neighbor’s property. Mr. Hook stated that his neighbor stores equipment and materials on his property and is also stock piling and excavating up to the property line and intruding on the edge of Mr. Hook’s property. Mr. Hook feels his neighbor is running a business from his home. Mr. Hook met with Supervisor Charles Fleischmann previously. John Coldiron, zoning officer stated that the neighbor, Rich Casserta, has a business towards Philadelphia. John also stated that Chester County Conservation District has been monitoring Mr. Casserta and are satisfied with the work that has been done on the property; therefore John does not feel it is a township problem. Betsy feels it is two separate issues: (1) Earth moving (2) running a business. The Solicitor will not follow up on the zoning problem unless directed by the Board of Supervisors. The Board will meet with Winnie to decide this. Also, the Board directed John to schedule a meeting with Mr. Hook and Mr. Casserta about getting the fill moved.

**DOGS** – Bob Prewitt questioned the Supervisors on the status of the dog problem on Catamount Road. Betsy informed Bob that the Solicitor will be instructing the township engineer to go out with a decibel meter to measure the noise level. Betsy stated that the problem is that Ms. Soldon was told a kennel was allowed and therefore purchased the property. Mr. Prewitt stated that it is not zoned for a kennel and ordinances should be enforced. Scott told Mr. Prewitt that the problem is in the hands of the Solicitors to discuss. Mr. Prewitt wants to know where the records are when it became a legal kennel and feels that the Supervisors are not upholding their jobs.

**ZONING CHANGES** – Henry Herensperger questioned Supervisor Charles Fleischmann on a letter that was circulating in the township and also the article in the Chester County Press for accuracy. Chairman Huber stated that the article had incorrect information in it. Mr. Herensperger wanted to know if the board members are trying to tell people what to do with their property. Charles informed Mr. Herensperger that zoning does that. Mr. Herensperger thought the Board of Supervisors are stonewalling people and

making sure nothing gets built in the township. Mr. Herensperger wanted to know if the article was a lie. Charles told him "yes, it is incorrect". Mr. Herensperger questioned if a property owner was able to give their land to anyone he wants. Charlie informed "yes". Mile Davey questioned the Board on their goals for the township. Betsy stated that they would like to keep it rural, but that we have different zoning areas. In the R-I District, any parcel over 30 acres is considered agriculture. In R2, R3 and R4, ten percent must be open space when parcels are developed. Mr. Davey questioned the status of the Finish Line Restoration. Betsy stated that Finish Line was waiting for a road permit before they could continue with their Land Development. Gary Calibey questioned the Board on the status of changing the R-2 district to Agricultural. Betsy informed him that late November a public hearing will be held and possibly the changes will be adopted at the December meeting. An audience member questioned why the Supervisors have an interest in changing the R-2. Betsy stated that they wanted to preserve the good farm land. Mr. Herensperger questioned whether or not the property owners want the zoning to be changed. The Board of Supervisors will notify the property owners in the future of this change.

SPEED STUDY – Barbara Hogstrom requested the Supervisors to do a speed survey at Turners Pond and Kimble Road. There is a blind stop where the school buses stop. Betsy told her that most of that property was in Lower Oxford Township but that we can place some signs in the meantime which will help.

MINUTES – Motion was made by Scott Rugen, seconded by Charles Fleischmann and carried to approve the September 8, 2008 Minutes with the following change – Page 3 "Scott stated that PSATS is offering a course on vendor management". The September 22, 2008 Work Session Minutes were also approved in this motion.

Huber – Yea                      Rugen – Yea                      Fleischmann – Yea

KINGS MILL II – 38 Lot Final Subdivision Plan on Newark Road. Motion was made by Scott Rugen, seconded by Charles Fleischmann and carried to accept and grant an extension until February 9, 2009 for the Kings Mill II Final Subdivision.

Huber – Yea                      Rugen – Yea                      Fleischmann – Yea

BAINBRIDGE/WIGGINS SUBDIVISION – 16 Lot Subdivision on Pusey Mill Road. Motion was made by Scott Rugen, seconded by Charles Fleischmann and carried to accept and grant an extension until December 9, 2008 for the Bainbridge/Wiggins Final Subdivision Plan.

Huber – Yea                      Rugen – Yea                      Fleischmann – Yea

SAM STOLTZFUS PLANNING MODULE – This subdivision plan was previously approved. The Chester County Health Department requested a planning module, which was approved by Jake Elks. The module will need to go to DEP for review. Motion was made by Scott Rugen, seconded by Charles Fleischmann and carried to approve the Sam Stoltzfus Planning Module.

Huber – Yea                      Rugen – Yea                      Fleischmann – Yea

JIM MARK SKETCH PLAN – Mr. Mark is planning on placing self-storage units on property located at Route 896 and Route 1. The Solicitor will make a recommendation if this type of storage is permitted. Francis Reyburn mentioned the log home - Mr. Mark will try to salvage it and use it as an office.

ZONING/BUILDING – John Coldiron read his report for the month.

ROADS – Tom Guhl read his report for the month and mentioned that the township has scheduled a fall clean-up day for October 17 and October 18, 2008. A member of the audience commended the road crew on the good job cutting back bushes on Pusey Mill Road.

HISTORIC COMMISSION – Frances Reyburn wanted to know if there was a work session this month. The work session will be held October 27, 2008 and the historic ordinance will be discussed.

PAYMENT OF BILLS – Motion was made by Scott Rugen, seconded by Charles Fleischmann and carried to approve the payment of bills in the amount of \$53,601.93 from the State Fund; \$239.50 from the Open Space Fund and \$271,573.36 from the General Fund. *(\$200,000.00 of this was to purchase Certificates of Deposits)*

Huber – Yea

Rugen – Yea

Fleischmann – Yea

ADJOURNMENT – There being no further business, motion was made by Charles Fleischmann, seconded by Scott Rugen and carried to adjourn at 8:00 P.M.

Respectfully submitted,

Jane Daggett  
Secretary