

**The Township of Greenwich
Board of Supervisors Meeting
Monday, January 4, 2021**

Minutes

CALL TO ORDER IMMEDIATELY FOLLOWING RE-ORGANIZATION MEETING: Chairman Victor Berger called the meeting to order at 7:45 pm. Members present: Dean Spohn and Alice Flyte. Professionals present: Solicitor, Dan Becker and Colin Macfarlane; Roadmaster, Bobby Follweiler; Secretary/ Treasurer, Jane Werley.

ANNOUNCEMENTS:

1. Executive Session held December 29, 2020 8:45 am to 11:00 am to discuss personnel issues.
2. Zoning Hearing Scheduled for January 11, 2021 at 7:00 pm. Matthew Leid, Echo Valley School.
3. Zoning Hearing Application received from Folino Estate, date and time to be determined.
4. R.E. Pierson has requested their Zoning Hearing be rescheduled for later in January 2021, date and time to be determined.
5. Chairman Victor Berger informed the audience to state their name and address if addressing the Board.

APPROVAL OF THE MINUTES:

1. Motion to approve the Minutes of the December 29, 2020 Board of Supervisors Year End Closeout Meeting made by DS. Seconded by AF. Motion Carried 3-0.

HEARING OF THE VISITORS:

1. Dodie Sable – 593 Old Rt. 22e – Requested to wait until the Board is ready to discuss the JVI PSIP court decision to ask questions.

PLANS TO REVIEW:

1. Subdivision of Land Development Plan Status Report. Board reviewed the report.
2. Elvin Nolt, Duck Barns – Seeking Final Plan Approval
 - a. The Planning Commission, by way of Motion at their December 21, 2020 Meeting recommended BOS approval on the Nolt Duck Barns Final LDP.
 - b. After discussion on outstanding items AF made a motion to Table the discussion until the February BOS Meeting to have all conditions noted in the December LTL Review Letter completed. Seconded by DS. Motion carried 3-0.
 - c. Township will contact Matt Hood at TeamAG concerning the conditions and request a letter of extension.
3. Discussion on Folino Estate Zoning Hearing Application. Board has not received the Zoning Officers Review on the application nor a copy of the plans and needs more information on what Folino is requesting approval on from the Zoning Hearing Board. P. Eisenbrown confirmed that Folino is requesting to add a small Piazza area that will include several small shops such as café, bakery, flower, and ice cream shops, a spa and a hotel operation with a guest services building and 44 guest rooms. New access driveway would be required off of Old Route 22 to provide access to the new structures and related parking facilities. Special Exception is requested pursuant to section 406.1.A.4.d. Also, referenced on the current application is a prior Zoning Hearing and Approval on an additional building from 2013. D. Becker requested the secretary forward the Findings of Facts

on that hearing to him after the meeting and he will review the prior ruling. There is a considerable amount of technical information not included in the application which will be needed for the Zoning Hearing Board to make a decision. Motion made by AF to authorize Kozloff Stoudt and Pete Eisenbrown to contact Attorney Sal Folino to discuss this matter before the hearing.

4. Motion made by DS to authorize Ryan Wessner, LTL Consultants to attend the January 11, 2021 Zoning Hearing for Matthew Lied, which proposes a Mennonite schoolhouse at 233 Sittler Valley Rd. Seconded by AF. Motion carried 3-0.

OLD BUSINESS:

1. Solar Ordinance - P. Eisenbrown went over the solar ordinance and discussed the updates made under 503.36 PSES vi, vii and viii. Motion made by AF to authorize Kozloff Stoudt to advertise. Seconded by DS. Motion carried 3-0.

NEW BUSINESS:

1. Motion Made by AF to adopt Resolution No. 2021-04 - Extending the Emergency Declaration to February 1, 2021. Seconded by DS. Motion carried 3-0.
2. Motion made by DS to adopt Resolution No. 2020-27A- Authorizing the Tax Collector to impose and Collect Fees for the year 2021, as amended. Seconded by AF. Motion carried 3-0.

REPORTS:

1. Roadmaster – Bobby Follweiler – Nothing to report at this time
2. Engineer Report – Zoning UCC Bldg. Permit Report – LLT Consultants
 - a. Board reviewed the engineering and permit reports. Motion made by AF to accept the reports as submitted. Seconded by DS. Motion carried 3-0.
3. Solicitor – Dan Becker and Colin Macfarlane.
 - a. David Laudadio – The Barn at Walnut Grove LDP - The Municipal Improvements and Maintenance Agreement and the Standard Stormwater Facilities Maintenance and Management Agreement were given to the Board for their review and comments.
 - b. Dodie Sable - JVI, PSIP – Krumsville Warehouse - Questions on Court of Common Pleas decision on appeal
 - i. Order was granted on October 26, 2020; however it was not received in writing until December 2020.
 - ii. D. Becker explained that the approval of the court was for all seven items the Township sited. As far as the subdivision, it does not set a precedent unless the Township would receive an identical plan or a plan very close to the warehouse plan. The warehouse Plan #1 is still out for litigation and will remain there for two years unless the developer or the township take action. The judge’s decision is on the second plan submitted and is the better of the two plans. If the BOS decides not appeal the court’s decision to the Commonwealth Court then the JVI, PSIP Warehouse Plan is approved. D. Becker and the Board of Supervisors need to have an Executive Session to discuss the matter.

FINANCIAL MATTERS:

1. Motion made by AF to approve the bills and Treasurers Report as presented. Seconded by DS. Motion carried 3-0.

ADJOURN BOARD OF SUPERVISORS MEETING AT 9:05 P.M. FOR EXECUTIVE SESSION.

RECONVENE BOARD OF SUPERVISORS MEETING AT 10:10 P.M.

1. Announcement of the Executive Session held from 9:05 to 10:10 to discuss possible litigation.

a. D. Becker explained that during the executive session there was a long discussion on the pros and cons of appealing the JVI, PCIP ruling and that the burden on the Township could be very costly. After another discussion the Board of Supervisors decided that they need to continue to enforce the Township Ordinances for all residents and agreed that an appeal should be filed with the Pennsylvania Commonwealth Court. Motion made by AF to authorize Kozloff Stoudt to file the appeal. Seconded by DS. Motion carried 3-0.

ADJOURNMENT: Motion made by AF to adjourn the meeting at 10:15. Seconded by DS. Motion carried 3-0.

Respectfully Submitted,

Jane Werley
Secretary/Treasurer