

December 6, 2007

The Board of Supervisors held a special public hearing on Thursday, December 6, 2007 to address the use of open space tax money for the purchase of development rights on the Mendenhall Farm. All members were present along with John Spangler and Kathleen Howley.

Before addressing the above issue, the board of supervisors discussed the request by Mr. Spano to start building a new house for himself. He currently lives in a home on the property and agrees not to occupy the new home before his subdivision, Hawks Crest, is signed and recorded. Mr. Adams, his attorney, has outlined in a letter to the board these restrictions which he has agreed to abide by. This document will be recorded. Mrs. Ralph moved to approve this agreement and Ms. Wood seconded the motion. Mr. Fenton voted no. Motion carried. Mr. Spangler advised Mr. Spano to have his attorney draw up the document for signature at the supervisor's meeting on 12/17/07.

The Board of Supervisors signed a resolution outlining the conditions for the preliminary approval of Pennsbury Village which was approved on December 3, 2007. Copies will be delivered to Mr. Crawford's office on 12/7/07. Mrs. Ralph and Ms. Wood signed the resolution. Mr. Fenton abstained.

Discussion proceeded on the use of open space money for the purchase of development rights on the Mendenhall Farm. The following was noted:

- 55+ acres is planned for easement.
- The family wishes to retain agricultural rights
- The corner lot at Hickory Hill Road and Hillendale is left open for negotiations
- The family was working with the Pennsbury Land Trust who has grants in place from the state and county totaling approximately \$491,000 for the purchase of development rights on the property. It was stated that the family felt the easement restrictions were too prohibitive and does not to continue working with the Land Trust.
- The family has a plan from a developer showing 36 homes could be built on the property.
- The family plans to retain approximately 5 building lots along Hickory Hill Road.
- It was suggested by Mr. Fenton that the appraiser, Bill Wood, walk the property and determine the value of the property based on the easement agreement.
- The easement agreement will be drawn up by the Mendenhall's attorney and Mr. Spangler.

- The Open Space Committee did give a report to the supervisors and it was noted that this parcel is no longer considered a priority parcel based on criteria in the open space ordinance.
- Several residents in attendance expressed their concern with regard to using so much open space money for this purchase when grant money was available to the family. However, residents agree that the development rights should be purchased.
- The appraisal, when received, is public record and open for review by the public.
- Alma Forsyth, representing the Pennsbury Land Trust, stated that the Trust is delighted that the township is pursuing the purchase of development rights with the Mendenhall family.

Wendell Fenton moved that the supervisors authorize Mr. Spangler to work with the Mendenhall's attorney on easement language. This will be given to Mr. Bill Wood to determine the value of the development rights to be purchase and the township has agreed to further exploring the purchase these rights not to exceed \$900,000. Mrs. Ralph seconded the motion and Ms. Wood agreed. Motion carried.

With no further business the meeting adjourned at 8:40 p.m.

Respectfully submitted:

Kathleen Howley  
Township Manager