

IN THE COURT OF COMMON PLEAS OF CHESTER COUNTY, PENNSYLVANIA  
CIVIL ACTION

SUPERIOR GROWERS, LP )  
 ) IN THE COURT OF COMMON PLEAS  
 ) OF CHESTER COUNTY, PA  
 vs. ) CIVIL ACTION  
 )  
 )  
 BOARD OF SUPERVISORS LONDON )  
 GROVE TOWNSHIP ) No. 09-15011-LU  
 )  
 )  
 =====  
 CHESTER COUNTIANS for a )  
 CLEAN ENVIRONMENT; DANIEL )  
 WILLIAMS ) Consolidated under  
 ) No. 2009-15011-LU  
 )  
 v. ) (originally filed under  
 ) No. 2009-15101-LU)  
 )  
 LONDON GROVE TOWNSHIP BOARD )  
 OF SUPERVISORS ) **LAND USE APPEAL**

**STIPULATION**

The parties, through their respective counsel, hereby stipulate to the following facts for purposes of the Court's consideration of the pending Petition to Intervene filed by neighboring property owners and the pending Intervenor Superior Growers' Motion to Quash Land Use Appeal.

1. As reflected in the map attached as Exhibit "A," the following petitioners own residential property where they live that either adjoins or is located across a road from the site where Superior Growers proposes to construct and operate a composting / mushroom growing facility:

- a. Paul Stab of 153 West London Grove Road, West Grove, PA 19390;
- b. Raymond Schoen of 151 West London Grove Road, West Grove, PA 19390;
- c. Jennifer Loustau of 142 West London Grove Road, West Grove, PA 19390;

d. Henry Shields of 175 West London Grove Road, West Grove, PA 19390;

e. Terrence Trevisan of 811 N. Guernsey Road, West Grove, PA 19390;

2. As reflected in the map attached as Exhibit "B," the following petitioners own residential property where they live that is in the vicinity of where Superior Grower proposes to construct and operate a composting / mushroom growing facility:

a. Dennis Newbold of 162 Hilton Road, West Grove, PA 19390;

b. Louis Kaplan of 362 Chatham Road, West Grove, PA 19390;

c. Peter Schlobach of 464 Ewing Road, West Grove, PA 19390;

d. Margaret Watkins of 119 Lloyd Road, West Grove, PA 19390.

3. Dennis Williams ("Williams") resides with his wife, Jennifer Loustau ("Loustau"), at residential property located at 142 West London Grove Road, West Grove, PA 19390 (as depicted in Exhibit "A").

4. On September 21, 1978, Williams and Loustau purchased the property at 142 West London Grove Road, where they built a house, raised their children and have lived ever since.

5. On April 5, 2001, based on estate planning recommendations, the deed for 142 West London Grove Road was placed only in Loustau's name.

6. Williams and Loustau currently remain married and both live together at 142 West London Grove Road, which is their primary residence.

7. In addition to living in the house on the Property, Williams and Loustau jointly maintain large vegetable gardens and a small orchard as well as raise small farm animals on the Property.

8. Williams was granted party status during the conditional use proceedings before the London Grove Township Board of Supervisors.

9. Superior Grower did not object to the Board granting Williams party status.

10. Chester Countians for a Clean Environment (“CFACE”) is a non-profit corporation that advocates for a clean environment and reasonable development within Chester County and, in particular, within London Grove Township.

11. CFACE does not own any real property within London Grove Township.

12. CFACE acts in a representative capacity for many individuals who do own property within London Grove Township, including all of the individual Petitioners identified above.

13. CFACE was granted party status during the conditional use proceedings before the London Grove Township Board of Supervisors.

14. Superior Grower did not object to the Board granting CFACE party status.

The parties, through their respective counsel, hereby stipulate to these facts for purpose of the pending Petition to Intervene and Motion to Quash.

Date: \_\_\_\_\_

By: \_\_\_\_\_  
J. Dwight Yoder, Esquire  
Attorney for Intervenor- Petitioners, Chester  
Countians for a Clean Environment and  
Daniel Williams

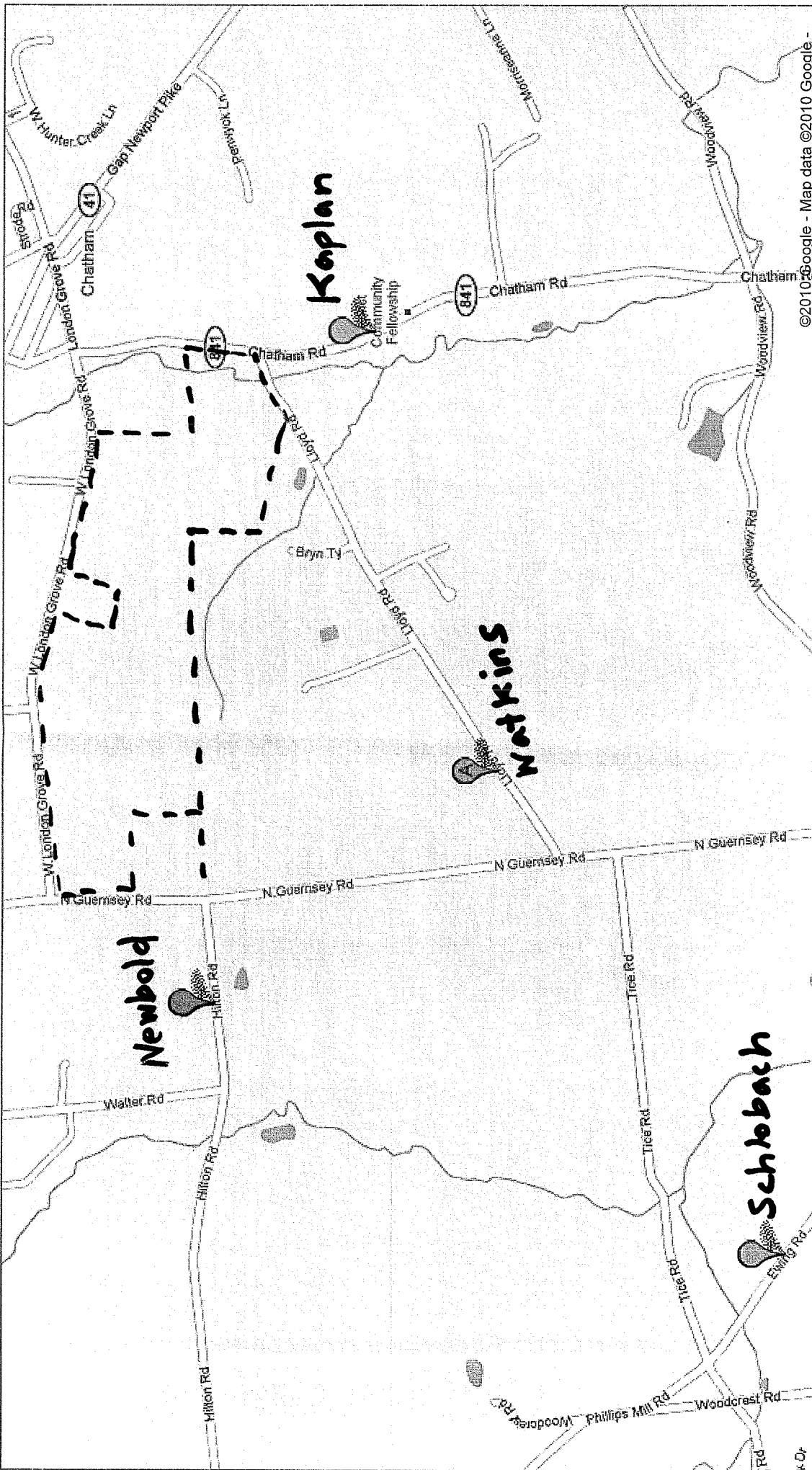
Date: \_\_\_\_\_

By: \_\_\_\_\_  
Denis M. Dunn, Esquire  
Attorney for Superior Grower

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Michael G. Crotty, Esquire  
Attorney for London Grove Township





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EXHIBIT

B