

**PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING
MINUTES: MAY 1, 2007**

BOARD MEMBERS PRESENT: William Patterson, Chairman
Edward Savitsky, Vice-Chairman
Richard Kratz, Member
Gordon MacElhenney, Member

ABSENT: Dean Becker, Member

OTHERS PRESENT: Cecile Daniel, Township Manager
Kenneth Picardi, Township Solicitor
Pamela Stevens, Township Engineer
John Moran Jr., Code Enforcement Officer
John Moran Sr., Road Master

PUBLIC HEARING – William Patterson opened the meeting and turned the meeting over the Kenneth Picardi to conduct the public hearing on the purchase of Development Rights for property owned by Ann I. Gates. The property is located at 180 Dieber Road. Mr. Picardi informed the public that the property has a total of 8.24 acres. Purchase of the Development Rights creates a Conservation Easement which means that the Township will purchase these rights so that from this point forward the property can never be developed. Presently, there is a home and a barn with some minor accessory structures located on the property. If any of these buildings are damaged or taken down, they may be reconstructed on the same footprint. The property owner will continue to own and maintain the ground as well as all the structures located on the property. The amount to purchase the Development Rights is based upon an appraisal completed for the Township by a qualified real estate appraiser. The amount agreed upon to purchase the Development Rights for the Gates’ property is \$330,000 for the 8.24 acres. Upon the conclusion of the hearing, Mr. Picardi closed the record, concluded the hearing, and turned the meeting back over to William Patterson who reconvened the regular monthly meeting.

MINUTES: The minutes of the April 3, 2007 Board of Supervisors meeting were approved upon a motion made by Richard Kratz and seconded by Edward Savitsky. There were no public comments on the motion. The motion was carried by a vote of 4-0.

POLICE REPORT: The Board reviewed the PA State Police Report for March.

CORRESPONDENCE:

PSATS – Bulletin

Montgomery County Planning Commission: The Township received a copy of a letter from the Montgomery County Planning Commission. This letter expressed the opinion of the County Planning Commission on the Governor’s proposal to lease the Pennsylvania Turnpike to a private operator. The County Planning Commission’s letter indicated that they were not in favor of such a proposal. Richard Kratz indicated that this topic was discussed at the recent PSATS

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Convention and felt that people should be aware of this situation and should express their opinion to the Governor's office regarding the Governor's proposal.

Lower Frederick Regional Ambulance Corps: Monthly Report

New EPA – TCE Rules & Regulations: E-mail received from Senator John Rafferty's Office regarding his efforts to overturn EPA's recent ruling exempting certain local businesses from the requirements to lower the amount of TCE released into the atmosphere.

SOLICITOR'S REPORT: Kenneth Picardi reported on the following: (1) Gates: Public Hearing is scheduled for May 1st Board of Supervisors Meeting; (2) Betcher Road Maintenance Agreement: working on this; (3) Sacks: no activity; (4) HYK -**EXECUTIVE SESSION:** Mr. Picardi requested an executive session to discuss pending litigation regarding the validity challenge to the Zoning Ordinance and paving of the former Swarr property; (5) Park & Recreation Ordinance: Is in the process of reviewing the two draft Ordinances; (6) Manning: **EXECUTIVE SESSION:** Mr. Picardi requested an executive session to review the information regarding the apparent violation of the Zoning Ordinance.

ROAD MASTER'S REPORT: John Moran Sr. submitted his report for April to the Board. Also, Mr. Moran reviewed the bids that he received for the Equipment Rental, Materials, Snow and Ice Removal, and Open Space Grass Cutting. Based upon the bid information, Mr. Moran recommended to the Board that: the Rental of Equipment go to P.K. Moyer; Line Painting/Thermoplastic go to Guidemark; that the Snow & Ice Removal go to Buck Enterprises and Russo Landscaping; that the Open Space Grass Cutting go to Buck Enterprises; and Highway Materials was go to Highway Materials. Also, Mr. Moran informed the Board that the Township will need to re-bid the gasoline since there were no bids on this product and will add a line item for guiderail. With the recommendation of Mr. Moran, Richard Kratz made a motion seconded by Gordon MacElhenney to award the 2007 Material and Supply Contracts to those aforementioned Companies and as set forth within Mr. Moran's memo of May 1, 2007. There were no public comments on the motion. The motion was carried by a unanimous vote of 4-0.

FIRE MARSHALL'S REPORT: John Moran Sr. submitted his report for April to the Board.

CODE ENFORCEMENT REPORT: John Moran Jr. submitted his April report to the Board. Also, Mr. Moran submitted two memos regarding recent zoning issues. The first memo was with regard to the matter discussed as 61 Bridge Street and the second matter was with regard to horses on the property owned by the Manning Family.

PLANNING COMMISSION REPORT: The Planning Commission held their meeting on April 17, 2007. (1) **391 WARTMAN ROAD:** This is a final plan application for 391 Wartman Road. The application was filed for property Anthony Mazzamuto owns at 391 Wartman Road. The proposal shows 4 lots on 6.92 acres along Wartman Road. (2) **MCCOUCH:** This is a preliminary plan application for 70 Rahns Road (Route 113). This application was filed by

Betcher Road Properties for 4 lots on 3.669 acres. The plan proposed 3 new homes and 1

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existing home. (3) **ALLIED WIRE & CABLE:** Gorski Engineering has a client who would like to construct a 70,000 sq.ft. building in the Iron Bridge Corporate Center. In order to construct this size building a portion of the property will be in Phase 3A (Lot # 10) of the development and the remainder will have to come from the phase that has yet to be subdivided. As a result, this proposal would be a subdivision plan as well as a land development plan. (4) **CENTRAL PERKIOMEN VALLEY REGIONAL PLANNING COMMISSION:** Review the proposed amendment to the Central Perkiomen Valley Regional Comprehensive Plan.

ENGINEERS REPORT: Pamela Stevens was present to review the following items:

- **2007 Road Project** – In March and April, Ms. Stevens reviewed the draft 2007 Road Improvements Projects. The project was split into three parts/phases. The first phase (Part A) included the following streets: Greenview Road, Yorktown Road, Regents Road, and a portion of Cranberry Boulevard, Forge Road, Brandywine Road, and Mayberry Road (from Township Line Road to the gate). The second phase (Part B) included the following streets: Mayberry Road (from the gate to Godshall Road), Acoma Lane, School House Road, and Liberty Alley. The third phase (Part C) included the miscellaneous items and the traffic signal. The Board discussed which roads they would like to consider as a Local Forces Project. At the April meeting, the decision was to proceed as follows: (1) repave all the roads listed in Part A; (2) add Liberty Alley to Part A; (3) add the section of Mayberry Road from the gate to Godshall Road to Part A and look into the condition of the guide rail. After review of the project, the Board discussed the repair work that was being proposed on Mayberry Road. Due to the overall expense, the discussion at this meeting was to consider re-evaluating the scope of the work to be completed on Mayberry Road. Ms. Stevens indicated that she will be coordinating a meeting with P.K. Moyer. During that meeting, she will review the cost estimate she developed with the numbers that P.K. Moyer put in their bid. Also, Ms. Stevens will take a closer look at the cost estimate she put together for the guiderail. She and Mr. Moran will take an actual measure of the amount of guiderail needed along Mayberry Road and calculate that against the financial information she has on the cost of purchasing guiderail both new and used. Hopefully the final decision on Mayberry Road can be made at the June Meeting.

RECEIPTS AND EXPENDITURES: The treasurer read the receipts and expenditures for the month of April. After review of same, Edward Savitsky made a motion seconded by Richard Kratz to authorize payment of the April bills. There were no public comments on the motion. The motion was carried unanimously by a vote of 4-0.

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NEW BUSINESS:**

- **391 WARTMAN ROAD SUBDIVISION:** Bond Reinhardt of Czop/Specter was before the Board of Supervisors to review the final plan application for his client Anthony Mazzamuto. This is a final plan application for 391 Wartman Road. The proposed plan calls for a total of 4 lots on 6.92 acres. The plan consists of three new lots and one existing one. The Planning Commission, at their meeting on April 17, 2007 recommended that the Board approve the proposed plan with the following conditions:

COMPLIANCE WITH ZONING ORDINANCE

1. The limit of disturbance fence has been shown on Sheet 4; however, the fence is not labeled and a note or detail as to the type of fence still has not been clearly provided.

COMPLIANCE WITH SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

1. Approval from the Montgomery County Conservation District for Erosion and Sedimentation Pollution Control is required for this project. Additionally, an NPDES Permit shall be required from the Pennsylvania Department of Environmental Protection. Evidence of approval and issuance of the NPDES Permit will be required prior to the signing Record Plans, Sections 11.51(f) and 11.60 of the Subdivision Land Development Ordinance.
2. A PADOT Highway Occupancy Permit shall be required for each of the three proposed driveways, and any other associated improvements.
3. Notes acceptable to the Township Solicitor's shall be added to the plans for the ownership and maintenance responsibilities of the lot owners concerning the various easements, Section 11.42(a)(13)(i) of the Subdivision Land Development Ordinance. Legal descriptions and ownership and maintenance documents should be prepared and submitted for the Township Engineer's review and the Township Solicitors' reviews.
4. A sidewalk along Wartman Road was added, Section 11.72(d) of the Subdivision and Land Development Ordinance and a pedestrian easement shall be located over the sidewalk. The easement shall be labeled on Sheet 1.
5. The proposed water services for Lot 2 is shown teeing off of the water service to Lot 3. A separate water service shall be placed along the driveway servicing Lot 3 to service Lot 2, Section 11.42(a)(13)(vii) of the Subdivision Land Development Ordinance. A separate utility easement shall be provided along the driveway in favor of Lot 2 for water service.
6. It appears that for Lots 3 and 4, the easements do not close toward the flag lots. Complete stormwater management easements shall be shown on the plans.
7. A performance guarantee will need to be executed prior to the signing of the Record Plan, Section 11.29 of the Subdivision Land Development Ordinance. The items at a minimum to be in the escrow

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include but are not limited to the seepage beds, sanitary force main, stormwater facilities, driveways improvements within the right-of-way, the sidewalks, erosion and sedimentation pollution control facilities, and landscaping.

8. Prior to signing of the record plans, the plans will need to be signed by the owner and the plans will need to be sealed by the professional engineer responsible for the preparation of the plan, per Sections 11.42(a)(3) and 11.43(a)(13) of the Subdivision Land Development Ordinance.

LANDSCAPING (PER ORDINANCE NO. 173)

1. Note 9 on Sheet 7 should be revised to state ...18 months from the date of the issuance of the Use and Occupancy.

GENERAL COMMENTS

1. Copies of all easement agreements, including those with adjacent properties, shall be submitted to the Township for the review of the Township and Authority Solicitors.2.
2. The Plan Sheet Index has been provided on Sheet 1, but the plans that are to be recorded shall be identified.
3. All notes shown on all Sheets shall be reviewed and shall be acceptable to the Township Manager, Township Code Enforcement Officer, Township Solicitor, Authority Solicitor, and Township Engineer prior to the signing of the Record Plan.

STORM SEWER COMMENTS

1. The easternmost invert elevation of the under-drain proposed for Bioretention Bed #1 shall be corrected. The elevation should be 465.75 (not 466.25).
2. The labeled length of the proposed outlet pipe from Bioretention Bed #1 shall be corrected. According to the drawings (40' scale), the pipe length shall be approximately 50 LF (not 30 LF).
3. The proposed invert elevation at the discharge of the outlet pipe from Bioretention Bed #2 is at least 1.2 ft. below existing grade. This conflict shall be resolved without disturbing the riparian buffer.
 - a. Again, the length of the outlet pipe (as labeled) shall correlate with the scaled drawings.
4. Evidence of Erosion & Sedimentation Control Plan and NPDES Permit approval from the Montgomery County Conservation District shall be submitted prior to the signing of the Record Plan, Section 313.C of the Stormwater Management Ordinance.
5. Ownership, operation and maintenance responsibility plan notes for the proposed stormwater management facilities shall be reviewed by the Township Solicitor, Section 702.B of the Stormwater Management Ordinance.

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6. A Maintenance Agreement, covering all proposed stormwater management facilities that are to be privately owned, shall be signed by the applicant and recorded with the record plans, Section 703 of the Stormwater Management Ordinance. The Agreement shall establish perpetual responsibilities for maintenance of the bioretention areas, as outlined in the Operation and Maintenance Schedule on Sheet 5 of the plans.
7. The Township and the Township Solicitor shall be satisfied with the notes, agreement and maintenance responsibilities for the proposed bioretention basins on Lots 3 and 4.
8. Additionally Note 8 on Sheet 1 shall be revised to include the whole aspect of the situation previously stated, and as noted below:

The plans propose two separate bioretention basins, one located on Lot 3 and one located on Lot 4. The proposed facility on Lot 3 has been designed to control the increased runoff from the proposed development of Lot 3 and Lot 1. In order to avoid any conflicts between the future homeowners of Lots 1 and 3, the Maintenance Agreement (see comment 14) shall clearly acknowledge that the facility on Lot 3 will function to control the increased runoff from the development of Lot 3 and Lot 1. The owner of Lot 3 assumes the sole responsibility to maintain the facility. The Township and the Township Solicitor shall be satisfied with the established maintenance responsibilities. The note shall read as follows:

“Additionally, the proposed dwellings on Lot 1 and Lot 3 shall not be constructed until the bioretention basin on Lot 3 is properly constructed and inspected by the Township. If the dwelling on Lot 3 is constructed after the installation of the bioretention basin, then the applicant for the building permit for Lot 3 shall protect the bioretention basin from being disturbed. If the bioretention basin is damaged during the construction of the dwelling on Lot 3, the applicant for the building permit shall be required to repair the bioretention basin. Any repair to the bioretention basin shall be inspected by the Township before issuance of a Use & Occupancy for Lot 3.”

9. All monies escrowed for the construction of the proposed bioretention plantings shall not be released until the Township is completely satisfied and at a minimum 18 months from the date of the issuance of the Use & Occupancy for proper establishment of the plantings.

SANITARY SEWER COMMENTS

1. The approval from the PADEP of the Planning Module shall be submitted to the Township for their records.
2. The certification that the existing well and septic system has been properly abandoned shall be submitted to the Township for Lot 2. This information shall be submitted to the Township prior the final release of the escrow.

After review of the proposed final plan, Richard Kratz made a motion seconded by Edward Savitsky to approve Resolution 2007-8: 391 Wartman Road Subdivision. There were no public comments on the motion. The motion was carried by a unanimous vote of 4-0.

➤ **MCCOUCH:** Brad Clymer of Richard C. Mast Associates was before the Board of

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Supervisors to review the preliminary plan application for the client Betcher Road Properties, LLC. This preliminary plan application is for 70 Rahns Road (Route 113). This application was filed by Betcher Road Properties for 4 lots on 3.669 acres.

The plan proposed 3 new homes and 1 existing home. The major issue was the installation of public water to service the homes in this proposed development. Mr. Clymer explained that the original design of the water line was to come from Iron Bridge Drive, across Rahns Road (Route 113) east (toward Route 29) along Rahns Road and then into a Utility Easement located on the property to service the four homes. The proposed design was submitted to Aqua Pennsylvania for review. Aqua is the Public Water Supplier for this area and must approve the design of the extension of their public water system. Upon review of the design, Aqua contacted Mr. Clymer and informed him that they did not approve the proposed extension of the water line. Aqua informed Mr. Clymer that they wanted the water line to come across Rahns Road from Iron Bridge Drive. Instead of going east, they directed the line to go west (toward Trappe Borough). At the intersection of Betcher Road and Rahns Road, Aqua directed that the water line be placed on the north side of the roadway behind the curb line. Aqua also indicated that the water line should be extended down Betcher Road, past the proposed common driveway to the area where Lot #4 abuts Betcher Road. Upon notification by Aqua, Mr. Clymer contacted the Township regarding the new design. Mr. Clymer was informed that the Township was extremely concerned about this new design. This concern was a result of, the expense that the Township just incurred to realign Betcher Road, the future integrity of the curb line since the water line would need to be situated directly behind the curb line, and the encroachment into the steep slopes. The result was a meeting between the Township, the applicant, and Aqua. In the meeting the Township expressed the problems with regard to the proposed new design of the water line. Based upon that meeting, it was discussed to locate the water line on the top of the embankment. An additional easement would be added to the right-of-way so that the water line could be located in this area. Due to the steep slopes, Lot #4 could be serviced through the common driveway. Gary Horne, the representative from Aqua, needed to review this with people in his office. Upon contact by Mr. Horne to Mr. Clymer, Mr. Clymer contacted Ms. Stevens. Mr. Horne informed Mr. Clymer Aqua now wanted the water line on the south side of Betcher Road since the embankment was not as steep. The water line would come from Iron Bridge Drive at an angle across Rahns Road to the south side of Betcher Road. The water line would be taken down the south side of Betcher Road to an area past the common driveway. The water line would cross the newly installed storm sewer line, storm boxes, swale, and driveways. The water services would be installed from this water line under Betcher Road by boring under the roadway to the new homes. Mr. Clymer was informed that the Township was absolutely against this new design. The impact on the storm sewer, storm boxes,

swale, new roadway, and the two driveways was such that the work could jeopardize the integrity of the work and expense that the Township just incurred to complete the

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realignment of Betcher Road. As a result, at the Planning Commission Meeting Mr. Clymer verbally explained a new design. A design which he presented before the Board and one that Aqua had indicated to Mr. Clymer they were okay with. The new design would show the water line coming across Rahns Road from Iron Bridge Drive.

The water line would turn west (toward Trappe Borough) until the water line came to the intersection of Rahns Road and Betcher Road. In order to have sufficient room behind the curb line, the embankment would be cut back from the intersection to an area just past the common driveway. Once past the common driveway, the ground would be graded fairly level and then to work back into the existing embankment. This will allow the water line to be constructed in a flat area and not endanger the integrity of the curb line. The embankment would be left in a manageable condition. The water services for Lot #4 and Lot #2 will come from the common driveway. Before Mr. Clymer proceeds further, he wanted to make sure that the Board was okay with the present design. The Board reviewed the design with Mr. Clymer and Ms. Stevens. Based upon the information presented at this meeting, the Board informed Mr. Clymer that he may proceed with this design. The Planning Commission, at their April 17, 2007 meeting recommended that the Board approve the Preliminary Plan with the following conditions and waivers:

COMPLIANCE WITH TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

1. Prior to signing of the record plans, the plans will need to be signed by the owner and the plans will need to be sealed by the professional engineer responsible for the preparation of the plan, per Sections 11.42(a)(3) and 11.43(a)(13) of the Subdivision Land Development Ordinance. The plans shall be identified as Preliminary Plans.
2. Once the public water supply location is resolved, the legal descriptions for the easements will be reviewed by the Township Engineer. The required legal documents, ownership and maintenance agreements for the shared driveway, utilities, and stormwater facilities shall be submitted to the Township Solicitor or Authority Solicitor for review and approval. Any modifications to the plans and additional plan notes shall be coordinated with the Solicitors regarding the easements. The plans and documents shall be satisfactory to the Township and the Solicitors prior to the signing of the record plans, per Section 11.43(a)(9) of the Subdivision and Land Development Ordinance. Note 14 shall be revised to state: "Nothing shall be placed, planted, or stored within any easement or access and utility easement, and the easements shall remain free and clear of any obstruction."
3. A performance guarantee will need to be executed prior to the signing of the Record Plan, Section 11.29 of the Subdivision Land Development Ordinance. The items at a minimum to be in the escrow include but are not limited to the seepage beds, sanitary force main, stormwater facilities, driveways improvements within the right-of-way, erosion and sedimentation pollution control facilities, and landscaping.
4. The Fire Marshal reviewed the plan and the FH was relocated; however, with the water main location unresolved with AQUA, the FH location may change, per Section 11.72(g) of the

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Subdivision Land Development Ordinance. The Township Staff and Township Engineer are concerned about the integrity of the embankment and the curbing recently installed as part of the Betcher Road Realignment project. As a result, the Township, Applicant, and AQUA shall enter into a satisfactory Tri-Party Agreement with regard to the location, installation, and area restoration for a public water line to service all 4 lots. Final Plan Application shall not be made to the Township until the location of the water line is satisfactory to the Township. Once the location of the water line is agreed to, the location shall not be changed unless approved by the Township.

5. Submission and compliance with the Final Plan requirements of the Subdivision Land Development Ordinance, Sections 11.26, 11.27, 11.28, and 11.29.

STORM WATER MANAGEMENT COMMENTS

1. The issue concerning sumped inlets as potential mosquito hot spots still needs to be addressed. The plans propose a sumped inlet in the back of Lot 2, so as to pre-treat runoff before it enters the underground detention facility. The Township Engineer recommended a bioretention BMP in place of the proposed underground facility, which would eliminate this issue. This issue needs to be addressed before submission of the Final Plans to the Township.
2. The Township Engineer recommended that an inlet be added over the proposed storm pipe from A1 to A2 along the centerline of the proposed driveway-side ditch, so as to more effectively capture the design drainage area to the underground detention facility. This needs to be addressed before submission of the Final Plans to the Township.
3. The stage/storage table used to route the proposed underground detention facility shall correlate with the stage/storage calculations in Appendix E of the Stormwater Management Report.
4. The Stormwater Management Report shall be signed and sealed by the Professional Engineer responsible for its preparation.
5. Ownership, operation and maintenance responsibility plan notes (Sheet 1 of 13) pertaining to the proposed stormwater management facilities, shall be reviewed by the Township Solicitor prior to signing of the record plans.
6. A Maintenance Agreement, covering all proposed stormwater management facilities that are to be privately owned, shall be submitted for review prior to signing of the record plans and then signed by the applicant and recorded with the plans, Section 703 of the Stormwater Management Ordinance.

WATER AND SANITARY SEWER COMMENTS

1. The Applicant's Engineer shall resubmit the calculations with the following items changed. This information shall be submitted with the Final Plans to the Township:
 - a. The low pressure grinder pumps shall be specified in the PTMA standards as the TRST

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system HPG200 as manufactured by Hydromatic.

- b. The pipe material shall be changed to Schedule 80 PVC as specified by the PTMA.
 - c. Page 2 of the calculations references Sellersville Borough; it shall reference Perkiomen Township Municipal Authority.
 - d. The calculations shall be expanded and calculated for each property. Verification should be made that each property pump can maintain the required 2 ft/s velocity. Also the common pipe for the low pressure system shall be calculated with one pump on. There may be rare occasions when two pumps are running at the same time.
 - e. Elevations of the pumping station shall be included on the drawings so that the Authority Engineer can verify the static head of the individual branches of the low pressure system.
2. Please add detail S-S-12 "Typical House Connection with Trap" to the plans.
 3. The water service for the existing home crosses the combined portion of the low pressure sewer. Elevations shall be noted in this area to reduce the chance of conflict during construction.
 4. A homeowner's agreement shall be formalized that defines the joint ownership of the low pressure system and the requirements of each homeowner. This agreement shall be reviewed by the Authority Solicitor and a copy of this agreement shall be given to the PTMA for their records.
 5. A copy of the approved planning module by the PADEP shall be submitted to the Township for its records.

GENERAL COMMENTS

1. The applicant should be aware that a Highway Occupancy Permit will be required for the proposed water utility crossing of SR 113, Rahns Road. Restoration of the road shall be per PENNDOT specifications.
2. The area of the connection of the shared driveway and Betcher Road requires more grading and limits of regrading and stabilization. The limits of disturbance along Betcher Road did not include the water service to Lot 1 and the silt fence appears to be shown beyond the disturbance line on Sheet 5. A note shall be added to the plans after the initial installation of the shared driveway; the Roadmaster and the Township Engineer shall verify the sight distance shown on the plans prior to the stabilization of the embankment. The note on Sheet 6 should include matting as the notes on Sheet 5 dictate erosion control blankets on slopes greater than 3:1.

GENERAL LANDSCAPING COMMENTS

1. The Landscaping Plan notes on Sheet 6 under Guarantee shall be modified to replace "following dedication of improvements" with "from the date of the issuance of the Use and Occupancy."
2. As directed by the Planning Commission, additional trees and shrubs shall be added to Lot #2 between Lot #1 and Lot #2.

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3. As directed by the Planning Commission, all street trees proposed within the steep slopes shall be relocated within the lots.

WAIVERS

1. The Planning Commission recommended that the Supervisors consider the waiver for the key map (site location map) per Section 11.42(a)(5); plan scale of 1"=30', per Section 11.41(a) of the Subdivision Land Development Ordinance. This waiver was recommended due to the clarity of the plans. The waiver shall be noted on the plans.
2. The Planning Commission recommended that the Supervisors consider the waiver for the sidewalks along the frontage of realigned Betcher Road per Section 11.72(d) of the Subdivision Land Development Ordinance. This waiver was recommended due to the steep slopes located along Betcher Road. The waiver shall be noted on the plans.

After review of the proposed development plan, Richard Kratz made a motion seconded by Edward Savitsky to approve Resolution 2007-9: the Preliminary Application of Betcher Road Properties. There were no public comments on the motion. The motion was carried by a unanimous vote of 4-0.

- **CONDITIONAL USE APPLCIATION:** Gorski Associates, Inc. has filed a Conditional Use Application for encroachment into the steep slopes for a 70,000 sq. ft. office/warehouse. This proposed development will be located in the Iron Bridge Corporate Center. The Board needs to set a public hearing date. Richard Kratz made a motion seconded by Edward Savitsky to set the public hearing date for May 22, 2007 at 7:00 p.m. in the Perkiomen Township Administration Building. There were no public comments on the motion. The motion was carried by a unanimous vote of 4-0
- **FIRE POLICE SERVICES:** The Township was in receipt of a letter from Skippack Township regarding assistance by the Township's Special Fire Police. This assistance was requested to aid Skippack Township with their parade and fireworks. Richard Kratz made a motion seconded by Edward Savitsky to approve the request of Skippack Township. There were no public comments on the motion. The motion was carried by a unanimous vote of 4-0.
- **GATES:** Based on the comments made at the public hearing held earlier this evening, Richard Kratz made a motion, seconded by Edward Savitsky to authorize the Chairman of the Board and Secretary to execute the agreement to purchase the

Development Rights for property owned by Ann Gates at 180 Dieber Road. There were no public comments on the motion. The motion was carried by a vote of 3: Yes to 1: Abstention (Gordon MacElhenney). The motion carried.

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COMMENTS FROM THE PUBLIC

(1) Ronald Smith of Seitz Road had a question concerning ATVs on private property. Cecile Daniel informed Mr. Smith this was a matter between the property owner and the person who owned the ATV. If the ATV is on a public roadway, then the Township would be involved. ATV's are covered under the Motor Vehicle Code. In the other matter, the property owner would need to call the police. (2) Mrs. Clayton of Cemetery Road had a question concerning the horses on the Manning Property. Mr. Picardi informed Mrs. Clayton that the Township was still investigating the situation before making a final decision. This decision as to what will happen would be made soon.

There being no further business, the meeting was adjourned upon a motion made by Richard Kratz and seconded by Gordon MacElhenney.