

**PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING
MINUTES: OCTOBER 5, 2004**

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

ABSENT: Dean Becker, Member

OTHERS PRESENT: Cecile Daniel, Township Manager
Kenneth Picardi, Township Solicitor
Terry Hand, Township Engineer
W. Richard Dillon, Code Enforcement Officer
John Moran, Road Master - Absent

POLICE REPORT: There was no PA State Police Report received.

MINUTES OF PREVIOUS MEETING: The September 7, 2004 meeting minutes were approved as written.

CORRESPONDENCE:

- Minutes – Central Perkiomen Regional Planning Commission
- PSATS – Alert Bulletin
- Lower Frederick Ambulance Report: Bruce MacBain submitted the report for the Lower Frederick Ambulance. In addition he requested financial help by consideration of creating a tax for the ambulance service. Also received the report for the Trappe Fire Co. Ambulance
- Buxmont – E-mails from Abbe DeMaio regarding the home owned by Buxmont.

SOLICITOR’S REPORT: Kenneth Picardi

- Informed the board the he has been working on the developments known as Mask Trust and Carson Barr.

ROAD MASTER’S REPORT: John Moran submitted his written report for September.

FIRE MARSHALL’S REPORT: John Moran submitted his written report for September.

CODE ENFORCEMENT REPORT: W. Richard Dillon submitted his September report to the board.

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PLANNING COMMISSION REPORT: There was a planning commission meeting held on September 21, 2004. The following plans were reviewed by the board: (1) Final subdivision plan for the Swarr/Swede Project in Rahns and (2) Preliminary subdivision for Lou DiDomenico on Trappe Road.

ENGINEER'S REPORT: Terry Hand

- Iron Bridge Corporate Center – There was an escrow releases for the Iron Bridge Corporate Center Phase 3A. The sixth request was for \$13,200.00. After review of the request, Terry Hand is recommending that the board consider releasing of this requested amount. After review of the recommendation from Terry Hand, Richard Kratz made a motion, seconded by Edward Savitsky to release the following to Gorski Construction Company for work completed in the Iron Bridge Corporate Center Phase 3A – Escrow Release Number 6 the amount of \$13,200.00. There were no public comments on the motion. The motion was carried by a unanimous vote of 4-0.

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

NEW BUSINESS:

- **WYNNEWOOD DEVELOPMENT:** Wayne Van Deusen presented his request to purchase a portion of the open space that is located behind his home on Wynnewood Drive. Upon Mr. Van Deusen's presentation, other residents along Wynnewood Drive expressed the same request. The discussion concerned the consideration by the board of selling between twenty or so feet behind these properties. One point was the concern over how the layout would look if one neighbor wanted additional ground and another one did not. Second was the concern that if the board did it for this development who else will want to do it. It was pointed out that since this development did not have a homeowner's association, the board may be able to use that as a distinction between this development and other developments in the township. It was also pointed out that any revenues resulting from the sale of this open space could be used to purchase other areas of open space. The residents in attendance indicated that they are not talking about a large area of the open space. There would still be a strip of open space between the edge of these properties and the surrounding homes. Kenneth Picardi pointed out that there may be some recent legal issues that the board may wish to consider in rendering a decision. The board directed Mr. Picardi to review the legal aspects of the residents' request and return at the November board meeting regarding his findings.

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- CRANBERRY PHASE 4B & 8: Robert Brant, attorney for the Iacobucci Organization was before the board to discuss the dedication of Phase 4B & 8. Michael Pestorius, representing the homeowner's association, was also present. Terry Hand informed the board that there are some outstanding items in both phases that need to be finished. These items are scheduled to be completed this coming weekend. The main issue is the open space in Phase 4B. The open space is to be dedicated to the homeowner's association. Presently, the grading that was done in the open space is inconsistent with the approved plan. During the construction of Phase 8 the developer's representative dump more fill on this open space then was necessary to regrade the property to meet the approved plan. Cecile Daniel explained that she informed the Iacobucci Organization that this issue needed to be addressed prior to dedication. The choices were to either remove the dirt or get the homeowner's association to agree to take the open space as is. The association and Iacobucci have been trying to come to some agreement, but at this time that has not happened. The board told Mr. Brant that his client's choices were to either get the homeowner's association to agree to take the ground as is or remove the dirt. This topic will be on the November board meeting.

- SWEDE/SWARR: David Shubin of the Swede Group was before the board for final approval of his proposed subdivision plan located on Gravel Pike in the Village of Rahns. The planning commission recommended that the board approve the proposal with conditions. The conditions were set forth within Resolution 2004-28. After review of the proposed final plan Edward Savitsky made a motion, seconded by Gordon MacElhenney to approve Resolution 2004-28 as follows:

COMPLIANCE WITH SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

1. Section 11.42(a)(12): The plans still indicate the existing right-of-way width for Gravel Pike to be 33', which is equal to the cartway width. The design engineer shall verify if the right-of-way width is correct and adjust it if necessary.

2. Section 11.60: Approved Erosion and Sedimentation Pollution Control Plan and general permits are required prior to signing of the record plan. If in meeting the requirements of PA DEP and MCCD, and the subsequent approvals require revisions to the final plans, the final plans shall be resubmitted to the Township for review and approval before signing of the record plan. The Applicant must submit a copy of the approval letter from the County Conservation District and PA DEP upon receipt. Furthermore, approval for the wetland encroachment through PA DEP and the Army Corps will be required.

3. Section 11.29: A Developer's Agreement shall be required to cover the following: Sanitary Sewer, inspection of the infiltrators, and plot plan requirements for house location and grading purposes.

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GENERAL COMMENTS

1. A note has been added to Sheet 1 indicating general driveway ownership and maintenance limits. The note refers to a separately recorded document that will be prepared to outline the ownership and maintenance limits. The Applicant shall submit copies of the specific ownership and maintenance agreements and the access easement for the Township Solicitor to review, and the plans should be revised to include the specific ownership and maintenance information that is to be included in the recorded document.
2. All easement agreements, including those for on and off sanitary sewer, the shared driveway, stormwater facilities, conservation easement and those with adjacent properties, shall be submitted to the Township for review by the Solicitor. An executed copy of the offsite sanitary sewer easement agreement has been submitted, however, there have been no other easement agreements and/or legal descriptions submitted for review. The remaining easement agreements and legal descriptions shall be submitted to the Township for the review of the Solicitor.
3. A PENNDOT Highway Occupancy Permit will be required for the private driveways along Gravel Pike (S.R. 0029). After permits have been secured, the permit number shall be shown on a plan and a copy of the permit shall be sent to the Township.
4. An Erosion and Sedimentation Pollution Control Plan with erosion fabric/matting and Landscaping Plan shall be approved by the Township and applicable outside agencies as a condition of the conditional use decision.
5. Add an additional sentence in Note 14 as follows: “No structures, plantings, and/or trees shall be planted over the infiltrators.”
6. “Preliminary Plan Pre-Development Drainage” shall be relabeled as “Final Plan Pre-Developed Drainage” and shall become Sheet 9. “Final Plan Post-Developed Drainage” shall become Sheet 10, and the Sheet Index on Sheet 1 shall be corrected to reflect these changes.

STORM DRAINAGE

1. The Stormwater Management Report shall be validated by the stamp of the P.E. in charge prior to final plan approval. It shall be noted that a revised Stormwater Management Report has not been included with this sixth re-submission; therefore, this comment has not been adequately addressed.

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LANDSCAPING (PER ORDINANCE NO. 173)

1. The Planning Commission recommended approval of a waiver for the buffering requirements to meet Ordinance No. 173 conditioned upon providing a conservation easement and a note restricting the developer and property owner from removing the vegetation within the conservation easement. Conservation easement labels have been added to the plan in two areas, one on the north side of the development and one on the south side of the development, however, the easement lines are confusing and appear to overlap in some areas. In addition, there appear to be easement lines that do not include metes and bounds. The plans should be revised to show a clear conservation easement with complete metes and bounds information that preserves the intent of the conditions set forth in the waiver, to maintain the buffering qualities of the existing vegetation around the perimeter of the development. The applicant shall submit the conservation easement to be reviewed by the township solicitor and the legal description to be reviewed by the township engineer.
2. A note on plan sheet 1 shall be added which states the developer and the property owners may not remove any trees within the conservation easement, except those that are considered dead fall.

SANITARY SEWER COMMENTS

1. Approval by Pennsylvania Department of Environmental Protection of the Sewage Facilities Planning Module Application, as required by Perkiomen Township.
2. The legal descriptions for the easement on the Swarr Swede parcel shall be provided.
3. The Developer shall provide copies of the recorded agreement to the Perkiomen Township Municipal Authority for the executed Deed of Easement for the off-site sewer. Of particular importance is the ability to have the easement transferred from the Developer to Perkiomen Township Municipal Authority.

There were no public comments on the motion. The motion was carried by a unanimous vote of 4-0.

- **MULTI-WAY STOP:** The board reviewed the draft ordinance regarding the multi-way stop sign at the intersection of Trappe Road, School House Road, and Kagey Road. After reviewing this draft, Edward Savitsky made a motion seconded by Gordon MacElhenney to authorize the township manager to advertise the proposed ordinance. There were no public comments on the motion. The motion was carried by a unanimous vote of 4-0. Richard Kratz brought up the discussion that took place at the September meeting regarding the request by Trappe Borough for a multi-way stop sign study at the

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intersection of Betcher Road, Trappe Road, and 7th Avenue. He felt that the township engineer should be authorized to investigate the impact of the cedar trees along Trappe Road before we agree to install a multi-way stop at this intersection. The other board members agreed and directed the township engineer to investigate Mr. Kratz's impression that the cedar trees may have an impact on the site distance at this intersection.

- **SIGNAL AGREEMENT:** Perkiomen Township has an agreement with Signal Service to maintain the traffic lights, school flashing light, and blinking light on Haldeman Road. The amount of the contract is the same as 2004. After review of the renewal agreement, Richard Kratz made a motion seconded by Edward Savitsky to approve the maintenance agreement with Signal Service for the year 2005. There were no public comments on the motion. The motion was carried by a unanimous vote of 4-0.
- **FIRE POLICE SERVICES:** The Township is in receipt of a request from Collegeville Borough regarding Special Fire Police for their Halloween Parade begins held later this month. Richard Kratz made a motion, seconded by Gordon MacElhenney to approve the request made by Collegeville Borough. There were no public comments on the motion. The motion was carried by a unanimous vote of 4-0.

SUPERVISORS COMMENTS

William Patterson thanked everyone for their help on Perkiomen Township Days. The board thanked Terry Hand for all his assistance and wished him luck on his retirement. There was also a discussion regarding the open space referendum which will be on the November 2nd ballot. The discussion centered on how to get the word out.

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