

**PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING
MINUTES: MARCH 2, 2004**

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

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

POLICE REPORT: The Board reviewed the January report.

MINUTES OF PREVIOUS MEETING: The February 3, 2004 meeting minutes, the Vacancy Board Meeting Minutes, and the February 12, 2004 Special Meeting Minutes were approved as written.

CORRESPONDENCE:

- Minutes – Central Perkiomen Regional Planning Commission
- PSATS – Alert Bulletin

SOLICITOR’S REPORT: Kenneth Picardi discussed the following:

- Building Code Ordinances – Mr. Picardi updated the board regarding the new state building code. He is working with Richard Dillon to put together the necessary ordinances. The first step will be for the township to decide if they would like to opt into the program. The board has ninety days to decide whether to opt in or out. The ninety days begins April 9, 2004.

ROAD MASTER’S REPORT: In addition to his regular report, John Moran presented the board with the Materials and Supply bids for the year 2004. It was Mr. Moran’s recommendation that Highway Materials be awarded the road materials (screening, sand, anti-skid, 3A, 2A modified, rip rap, cold patch, etc.); Guide Mark be awarded the line painting, road salt would be piggybacking on the state contract, Oehlert Brothers for gas and diesel, Buck Enterprises and Russo Landscape for snow plowing, Delaware Valley Milling for street sweeping, and P.K. Moyer for equipment rentals. The board reviewed the information supplied to them by Mr. Moran. Richard Kratz made a motion seconded by Gordon MacElhenney to accept the recommendation of Mr. Moran and award the Materials and Supply bid as presented and discussed. There were no public comments on the motion. The motion was carried by a unanimous vote of 5-0. Also, Mr. Moran informed the public that street sweeping for township

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owned roads would take place at the end of April or beginning of May depending on the weather.

FIRE MARSHALL'S REPORT: John Moran submitted his February report to the board.

CODE ENFORCEMENT REPORT: In addition to his regular report, W. Richard Dillon informed the public that he was going to issue the Use & Occupancy Permit to Buxmont for 2 Wynnewood Drive. Mr. Dillon explained that his decision was made after he met with the township solicitor, Buxmont's representatives, a licensed psychologist, and discussion with the deputy director of the county's juvenile probation department. This Use & Occupancy was issued with five conditions. The conditions are as follows: (1) current, illegal use of, or addiction to a controlled substance as defined by statute shall preclude a child from being placed or residing in the premises; (2) any child who would constitute a direct threat to the health or safety of other individuals, or whose tenancy would result in substantial physical damage to the property of others is precluded from being placed or residing in this premises; (3) the owner shall maintain a valid, annual Certification of Compliance (to provide foster family care) from the PA Department of Public Welfare; (4) the number of disabled, handicapped and/or foster children who reside in this premises, at any one time shall not exceed six children; and (5) the disabled, handicapped and/or foster children who reside in this premises shall be between thirteen and nineteen years of age. Due to the legal nature of the issue, the board held an executive session prior to the meeting to discuss the aforementioned issuance of the Use and Occupancy Permit.

PLANNING COMMISSION REPORT: The planning commission held a meeting on February 17, 2004 to discuss the following: (1) the land development plan for the Graterford Bible Fellowship Church, and (2) the proposed subdivision plan of 515 Centennial Street.

ENGINEER'S REPORT: Pamela Steven of SSM was present to discuss her recommendation regarding the proposed 2004 Road Project. It is was her recommendation the bid be awarded to Dan Malloy Paving, Inc. of Downingtown, PA in the amount of \$346,500.00 for the General Fund and \$49,430.00 for the Fire Tax Account for a total contract of \$395,930.00. This project would be broken down as follows: Dieber Road - \$216,061.50, Pennypacker Road - \$116,293.50, Cedar Road (Turnback portion only) - \$14,145.00 and the fire company parking lot - \$49,430.00. It was decided not to complete a portion of Cedar Road, Seitz Road, Acoma Lane and the line painting at the firehouse parking lot. Regarding Meyers Road and Ott Road, it was decided that John Moran and Pamela Stevens would get together with P.K. Moyer. The idea is to consider using the bids awarded under the materials and supply to help reduce some of the cost to overlay the worse area of the two roads. Based upon the recommendation of Ms. Stevens, Dean Becker made a motion seconded by Edward Savitsky to award the 2004 Road Project Contract to Dan Malloy Paving, Inc. in the amount of \$395,930.00. This contract will include Dieber Road, Pennypacker Road, Cedar Road (turnback portion only), and the fire company parking lot excluding the line painting. There were no public comments on the motion. The motion was carried by a unanimous vote of 5-0. As part of this project there will be trees that will need to be removed in the right-of-way of Dieber Road. In consideration of this, the board reviewed a

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proposed resolution regarding the removal of trees in the right-of-way of Dieber Road. The proposed resolution was set forth as Resolution 2004-15 - A resolution approving the notice to property owners abutting Dieber Road regarding removal of trees within right-of-way of Dieber Road. The board reviewed the information and Richard Kratz made a motion seconded by Gordon MacElhenney to approve Resolution 2004-15. There were no public comments on the motion. The motion was carried by a unanimous vote of 5-0.

Eagle View Estates – Ms. Stevens informed the board that she has reviewed the request for a Line of Credit release from Sparango Perkiomen Associates in the amount of \$32,370.00 for Eagle View Estates. After review of the request and field verification, she recommended the following amount of \$32,370.00 be released. Based upon the recommendation of Ms. Stevens, Richard Kratz made a motion seconded by Gordon MacElhenney approve the Line of Credit Release #8 for Eagle View Estates in the amount of \$32,370.00. There were no public comments on the motion. The motion was carried by a unanimous vote of 5-0.

RECEIPTS AND EXPENDITURES: The treasurer read the receipts and expenditures for the month of February. After review of same, Dean Becker made a motion seconded by Gordon MacElhenney to authorize payment of the February bills. There were no public comments on the motion. The motion was carried unanimously by a vote of 5-0.

NEW BUSINESS:

- Farm Preservation Program: Elizabeth Emlen from Montgomery County was before the board to discuss the Montgomery County's Farm Preservation Program. Also present were John Meyers and Ronald & Linda Manns. Both of these property owners would like to make their properties a part of this program. The idea of this program is to purchase the development rights from the farmer. The farmer is paid the cash value of what those rights would be. The purchase preserves the property as a farm since it can only be used as that or sold as that. This value of the easement is determined based upon an appraisal completed for the applicant's property that is based upon market value minus farm value. The difference between the two times the number of acres is the maximum amount the county is allowed to pay. The funding for this program comes primarily from the Commonwealth. Unfortunately, there is a minimum acre limit before a property can be eligible for this money. The minimum acreage is fifty acres. The next funding source would be from the county. Although there is no minimum acreage limit, their funding is very limited. The last funding source would be from the municipality. In the case of both the Meyers and Mann's properties, they do not meet the state's minimum acreage. In the Mann's case, their property is 26.82 acres and in the Meyer's case the property is 41.24 acres. According to Ms. Emlen the county has a total of five million dollars to spend. This five million is broke down as 3.2 million from the Commonwealth and 1.8 million from the county. Presently the county has thirty-six farms that are eligible. The two properties in Perkiomen Township are part of that thirty-six. Due to

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ranking by size, these two properties are ranked in the lower half in terms of priority. Ms. Emlen indicated that this ranking could go up if the township is willing to help by contributing to the purchase of the easements. Presently the purchase of the easements for these two properties total 1.9 million dollars. Also, Ms. Emlen did explain that under the new county open space program, the municipality is allowed to use up to fifty percent of their allocation toward the purchase of the easements. The board expressed their willingness to consider participation with the county in purchasing the easements for these farms. The board indicated they would need a sense of what amount of money would be needed. Ms. Emlen indicated that there were some options to consider. First she said that there is pending legislation to reduce the minimum acres from fifty acres to twenty-five acres. Second, there may be a possibility of connecting the Meyers tract with the property donated to the township by Ralph Huber. These two properties abut each other. If the township were to consider placing the Huber tract under the control of the lands trust, the state would consider the total of the two tracts. The combination of the two tracts would put the total acreage over the fifty-acre minimum. The board agreed that the issue of the Huber tract with the land trust would be something to explore. At the same time, Elizabeth Emlen will work with the township. Ronald Manns and John Meyers were in attendance to express their opinion regarding their desire to participate in the farm preservation program.

- Resolution 2004-13: Graterford Bible Fellowship Church: Joe McMenamin was the engineer for the proposed preliminary/final land development plan for Graterford Bible Fellowship Church. Also in attendance was Alan Paul as the applicant for the church. The proposal is to remove the existing structures (the house and shed) and construct a 5,000 square foot building. The zoning for the church is Institutional Overlay District. This was through a Conditional Use Application that was approved by the board of supervisors on June 3, 2003. Mr. Paul explained that the church intends to use this as an ancillary building to support the social activities of the church. Parking is to be provided for by the parking lot at the church and the parking lot in the back. Since this building is to be an ancillary building to provide social activities to the church, the time of these activities will not be in conflict with the times of church services and the use of the parking facilities. The planning commission reviewed this proposed land development plan at their February meeting and recommended that the board consider approval of the plan with consideration of the following conditions and waivers:

GENERAL COMMENTS

1. Pursuant to Section 23.4(D)(2), all Class II parking lots and driveways shall be 50 feet from any property line. The applicant submitted a letter explaining that the area shown as a parking lot is located in the rear of the lot. It was explained that this would be used for "Temporary Parking Only." It would allow for people to be dropped off as close as possible for people with certain physical limitations. Based upon this information, it was the determination of the zoning officer

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that this section of the zoning ordinance did not apply. Regardless, the planning commission directed that a note be placed on the site plan specifying this area as "Temporary Parking Only."

SANITARY SEWER COMMENTS

1. As part of the PADEP Planning Module Exemption forms which are to be prepared by the Developer's Engineer, details need to be provided to substantiate the anticipated increase in water usage and the associated increase in sanitary sewer discharge.

STORM WATER MANAGEMENT COMMENTS

1. The type of outlet structure and pipe bedding provided for the seepage bed overflow pipe is not indicated on the plans. A detail showing these features shall be added to Sheet 3.
2. The following shall be added, modified, clarified on the "Roof Drain Seepage Pit Detail":
 - a. The specific type of upstream catch basin shall be indicated.
 - b. Gutter guards or similar devices shall be specified on the gutters to keep leaves and debris from clogging the infiltration bed. Leafgo® is a device that is attached to the downspouts that will serve this purpose, provide an overflow and prevent vectors from entering the system.
 - c. Bottom of seepage bed elevation and the outflow pipe invert elevation at its point of termination shall be indicated on the detail.
 - d. The roof drain to seepage pit pipe slope note shall read "maintain a minimum 2% slope".
 - e. The note indicating the length of the non-perforated portion of the pipe entering the infiltration bed shall be revised to read "2' non-perforated".
3. On Sheet 3 of The Storm Water Analysis the note under the seepage bed volume calculations shall indicate a minimum of 12" cover rather than 6".
4. Clarification shall be made as to why the runoff coefficient for impervious area changed from .95 in the first revision to .90 in the latest revision of the Storm Water Analysis.
5. The Storm Water Analysis calculations indicate a 6" overflow pipe is used in the seepage bed design, while the "Roof Drain Seepage Pit Detail" indicates a 4" overflow pipe. The calculations shall be revised using a 4" overflow pipe in the design.
6. In the Seepage Bed Routing Calculations it appears that the routing program erroneously interpolated the basin outflow values, creating outflow other than infiltration below the overflow pipe invert. Because of this it appears the routing calculations provided are not applicable in the design and shall be resubmitted using appropriate routing software.
7. The Seepage Bed Outflow Calculations indicate flow in the overflow pipe when the water level is below the pipe invert. The calculations shall be revised to show only infiltration at elevations below the overflow pipe invert.
8. We recommend adding the following note regarding maintenance of the seepage bed and other

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storm water facilities to the plans, “Regular removal of litter and debris within the property shall be performed.”

WAIVERS

1. A waiver was requested to allow for the plan scale to be 1”=30’ rather than the required 1”=50’. The planning commission and township engineer recommended consideration and approval of this waiver. Section 11.41(a) Subdivision Ordinance.
2. Ordinance 173 of the Subdivision Ordinance requires a landscape plan for the parking lot. The planning commission recommended consideration and approval of a waiver of this requirement, subject to the applicant planting shade trees around the new building.

The board reviewed the proposed land development land and reviewed Resolution 2004-13 with the applicant. After review, Richard Kratz made a motion seconded by Dean Becker to approve Resolution 2004-13 – Graterford Bible Fellowship Land Development Plan. There were no public comments on the motion. The motion was carried by a unanimous vote of 5-0.

- Resolution 2004-14: 515 Centennial Street: Bernadette Kearney was the attorney representing the applicant for 515 Centennial Street. This is a preliminary subdivision plan for three new single-family homes and one existing. The property is located on Centennial Street that borders Schwenksville Borough. The applicant applied for and received a variance for lot #3 from the dimensional requirement of 43,560 sq. ft. The lot size reduction was approved for 35,280 sq. ft. so that the existing pond would be located on lot #4 versus having the pond split between lot #4 and lot #3. Also, the development will be provided with both public water and public sewer. Due to the located of the existing public facilities, the applicant will be connecting into facilities owned by Schwenksville Borough Authority. The applicant has provided letters indicating the agreement by the borough to the applicant connecting into their facilities. The major issue for discussed was the use of the flag lots on this development. The board expressed hesitation regarding the way the flag lots were laid out. Ms. Kearney explained that the layout complies with all the township ordinances. She also indicated that the planning commission recommended the board consider the preliminary approval for this plan and the applicant had removed any waiver request before the board. The planning commission’s recommendation was consideration of the preliminary plan with the following conditions:

COMPLIANCE WITH ZONING ORDINANCE

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1. All conditions of the Hearing of the Township Zoning Hearing Board on January 8, 2004 in which, according to the plan notes, a variance was granted for Section 12.4.A.1 regarding the minimum lot area for Lot 3, shall be provided on the plan.

COMPLIANCE WITH SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

1. The 25' access easement agreement for Lots 1, 2 and 3 should be included as part of the plan. The easement agreement shall be submitted to the Township for review and approval, Section 11.42(a)(13)(i). Subdivision Ordinance
2. The front yard building setback lines for Lots 1 and 4 should be dimensioned on the plan, Section 11.42(a)(13)(iii). Subdivision Ordinance
3. Pending the review and approval of the water and sewer services, the proposed services and connections may need to be modified. Final plan approval will not be recommended until the utility services are approved. The applicant shall submit a copy of the sewer authority's approval for the proposed sewer system, Section 11.55 Subdivision Ordinance. The applicant shall submit a copy of the water company's approval for the proposed water system, Section 11.57 Subdivision Ordinance.
4. The plan should indicate a minimum radius of 5' for the entrance of the proposed shared driveway, Section 11.52(m)(2). Subdivision Ordinance.
5. The erosion and sediment controls need to be reviewed and approved by the Montgomery County Conservation District as per Section 11.60 Subdivision Ordinance. Evidence of approval will be as part of the final plan approval.
6. The applicant shall submit final plans to the township for review and approval that will resolve the issues set forth in the resolution and completion of the final plan requirements of the subdivision ordinance. Sections 11.26, 11.27, 11.28, 11.29, & 11.43 Subdivision Ordinance

GENERAL COMMENTS

1. The labeling for the existing riparian buffer easement shall be made clearer on the plan. The dimensions shall be indicated on the plan including the areas where it spills over onto the adjacent Landis property. The word "existing" shall be deleted from the riparian label.
2. The extent of vegetation clearance necessary for the maintenance of the sight distance of the shared driveway should be shown on the plan.
3. A legend shall be provided on sheet 1.
4. The disposition of the existing gravel/macadam drive extending into Lots 2 and 3 shall be labeled on the plan.
5. A Lantern Light shall be installed at the intersection of the common driveway and Centennial Street on Lot 1.

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STORM WATER MANAGEMENT**

1. The stormwater management plan proposes a new basin located on Lot 1 combined with the existing basin on Lot 4 to meet the requirement for the post development discharge off the site be reduced to the pre-development levels.
2. To allow review of the hydrology provided, the Tc calculations and a map of Tc flow paths shall be provided.
3. The grading of the interior of the basin needs to be provided with spots shots to indicate bottom grading.
4. There is no emergency spillway proposed and no freeboard provided. We suggest consideration to placing the spillway 0.5' above the 25-year water surface elevation and providing a spillway to pass the 100-year storm.
5. A construction detail for the basin berm and outlet structure shall be provided on the plan.
6. The easement on Lot 1 does not appear to be sufficient to contain the entire basin up to the top of berm elevation, and should include the swale. The easement shall be expanded to include sufficient area for the entire basin and the swale.
7. As the existing pond on Lot 4 is part of the storm water plan for this overall site, restrictions on modifications to either the pond or the outlet structure would be needed. The restrictions and maintenance note provided on plan sheet 1 as note #9 shall be amended to stipulate the same for the existing pond on Lot 4.

SANITARY SEWER COMMENTS

GENERAL

1. Developer's Engineer is responsible for completing and submitting the necessary forms associated with the Pennsylvania Department of Environmental Protection Sewage Facilities Planning Module Application, as required by Perkiomen Township.
2. As noted in the previous review, the sanitary sewer system for the three proposed homes is shown connecting to the Schwenksville Authority sanitary sewer collection system. The Perkiomen Township Municipal Authority (PTMA) agrees with the proposed plan to route the sewer flow to the Schwenksville Authority. Furthermore, PTMA has no intention of owning or operating the sewer main that is proposed to service these three homes. It is the responsibility of the Developer to coordinate with the Schwenksville Authority to determine ownership of the sewer main, requirements for connection to the existing sewer line in Centennial Street and any other construction requirements (such as details and specifications) that are required by the Schwenksville Authority. The requirements of PTMA would only be in effect for the lateral line up to the property line/easement line.
3. PTMA construction details, related to the sanitary sewer lateral only, shall be incorporated into the plans. This information has previously been provided to the Developer's Engineer.

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The board reviewed the proposed plan and Resolution 2004-14 – 515 Centennial Street Preliminary Plan. After consideration of the discussion, Richard Kratz made a motion seconded by Edward Savitsky to approve Resolution 2004-24. There were no public comments on the motion. The motion was carried by a 4-1 vote with Gordon MacElhenney voting no.

- Upper Dublin Township: Upper Dublin Township sent a letter to the township regarding participation with them on legal expenses dealing with intervening in Philadelphia Suburban Water Company's current rate increase that is pending before the Public Utility Commission. This involvement would be to have the PUC look at the charges Philadelphia Suburban Water Company is charging for their fire hydrants. Cecile Daniel indicated that she tried to contact the township manager to find out how many other municipalities were willing to participate. To date she has not had a response. Presently there are 120 fire hydrants in PSWC's territory within the township. The board discussed this request and agreed that there was merit in trying to get the PUC to reduce the charge for fire hydrants in PSWC Service Territory. After discussing how much the board was willing to contribute, Richard Kratz made a motion seconded by Gordon MacElhenney to agree to participate with Upper Dublin Township with an expenditure cap not the exceed \$1,000.00. There were no public comments on the motion. The motion was carried by a unanimous vote of 5-0.

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