

**PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING  
MINUTES: MAY 3, 2005**

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

**ABSENT:** Dean Becker, Member

**OTHERS PRESENT:** Cecile Daniel, Township Manager  
Kenneth Picardi, Township Solicitor  
Pamela Stevens, Township Engineer  
John Moran, Road Master

**PUBLIC HEARING:** The board of supervisors held a public hearing on the proposed comprehensive plan for the Central Perkiomen Valley Regional Planning Commission. The comprehensive plan included the following for the six municipalities that make up the regional planning commission: Demographic Profiles, Natural Environment & Cultural Resources, Goal & Objectives, Open Space, Infrastructure, Housing, Existing Land Use, and Future Land Use Plan. After review of the regional comprehensive plan, the board considered adoption of this regional plan and revoking the comprehensive plan for Perkiomen Township. Edward Savitsky made a motion seconded by Richard Kratz to adopt Resolution 2005-13. Perkiomen Township Board of Supervisors does hereby adopt the Central Perkiomen Regional Comprehensive Plan, prepared by the Central Perkiomen Valley Regional Planning Commission, as the official Comprehensive Plan of the Central Perkiomen Valley Regional Planning Commission, and, that said plan having been adopted, the Perkiomen Township Board of Supervisors hereby rescinds its municipal Comprehensive Plan and agrees that it shall be guided by the Central Perkiomen Valley Regional Comprehensive Plan on all matters relating to land use planning. There were no public comments on the motion. The motion was carried by a unanimous vote of 4-0.

**MINUTES:** The minutes of the April 5, 2005 meeting were approved as presented.

**POLICE REPORT:** There board reviewed the PA State Police report for March.

**CORRESPONDENCE:**

- CPVRPC- Minutes of their meeting
- Report of the Lower Frederick Ambulance
- PSATS – Bulletin
- William DeMaio – Planning Commission
- Abbe DeMaio - Buxmont

**PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING  
MINUTES: MAY 3, 2005**

**SOLICITOR'S REPORT:** Kenneth Picardi informed the board that his issues will be discussed under new business.

**ROAD MASTER'S REPORT:** John Moran submitted his report for April to the board. In addition to his report Mr. Moran reviewed for the board pictures that were taken on the condition of Miller Road. Due to recent rains storms in April the area of Miller Road that runs along the creek has deteriorated. A portion of the exiting post and rail has been undermined by this deterioration. He reviewed the condition with Pamela Stevens. The recommendation was to extend the existing guide rail along Miller Road. The idea would be to drill the new posts directly into the road black top and not along the embankment. Due to the nature of the problem, the question was asked whether this repair would be considered an emergency repair. Kenn Picardi will look into this with Ms. Stevens. At the same time, Mr. Moran will obtain quotes on the guide rail. There was a discussion regarding closing Miller Road, but at this time no decision was made.

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

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

**PLANNING COMMISSION REPORT:** The planning commission held their meeting on April 19, 2005. The following items were reviewed: **KRIEBEL:** A public hearing was scheduled for April 26, 2005 regarding the request of Violet Kriebel. This request is to rezone her property from CR-Commercial Retail to R-1 – Residential. **ZOLLERS:** This plan proposes the subdivision of the existing lot located in the Village of Rahns from one lot into two lots. Both lots would be 9,000 square feet. The zoning for this property is VCR -1. **WOODBIDGE:** This plan was previously granted final approval. Due to changes made by the applicant, Michael McCloskey is returning to request consideration of the revised plans. The revised plans will be discussed under new business.

**ENGINEER'S REPORT:** Pamela Stevens

- **2005 ROAD PROJECT** – Ms. Stevens reviewed the request for payment from the contractor for the 2005 Road Improvement Project. The request is in the amount of \$53,234.82. Ms. Stevens reviewed the request, found it to be acceptable and recommended that the board approve the payment. Based upon the recommendation of Ms. Stevens, Richard Kratz made a motion seconded by Gordon MacElhenney to approve the payment to D. Malloy Paving, Inc. in the amount of \$53,234.82. There were no public comments on the motion. The motion was carried by a unanimous vote of 4-0.

**PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING  
MINUTES: MAY 3, 2005**

- **15 WILLOW LANE** – Escrow Release No. 1 – Ms. Stevens reviewed her letter of April 29, 2005 regarding a request by 15 Willow Lane L.P. for an escrow release in their development known as Escrow Release No. 1. Their request was in the amount of \$8,805.00. After review of the information received, she recommended that the board approve the request. Upon the recommendation of Ms. Stevens, Gordon MacElhenney made a motion, seconded by Richard Kratz to approve the Escrow Release No.1 (\$8,805.00) to 15 Willow Lane L.P. 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 April. After review of same, Edward Savitsky made a motion seconded by Gordon MacElhenney 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.

**NEW BUSINESS:**

- **LOUIS DIDOMENICO:** As Pamela Stevens explained at the April meeting, George Tindall was hired to conduct an investigation as required under the Conditional Use Decision for the application of Louis & Chris DiDomenico. This investigation was to be conducted into the cause of the number of trees that were found dead on the property. Ms. Stevens is familiar with Mr. Tindall and has worked with him previously. Mr. Tindall conducted the investigation and submitted a report to Ms. Stevens for review. Ms. Stevens reviewed the report and indicated that she was present when the field investigation was completed. In his report, Mr. Tindall indicated that fill was placed on site. The depth of this fill was varied from about a foot located at the front of the property to 10 to 12 feet in the northeast corner. To confirm the type of material used, he dug a depth of 18” to 24” in various locations. Due to the timing, there were areas where rainwater was trapped and pooled near the dead trees. The pooled water was clear and showed no signs of film or odor. Based upon this investigation, it was Mr. Tindall’s opinion that the trees died due to the soil/fill placed around the trees and that he saw no evidence of soil contamination. He indicated that not all the trees have died and that some are still under stress conditions and will probably die soon. His recommendation was to remove the dead trees to ground level before they fall. Based upon her presence when the investigation was conducted and her review of the report, Ms. Steven’s recommendation was to accept the report as satisfying the requirement of Section B set forth within the Conditional Use Decision of the board for the DiDomenico Application and relieves Mr. DiDomenico from having to do further soil and water testing. She also agreed that the existing dead trees should be removed before they fall down. The board questioned Ms. Stevens regarding her recommendation. After this discussion, Edward Savitsky made a motion seconded by Richard Kratz to accept the

recommendation of Ms. Stevens in that her recommendation and Mr. Tindall’s report

**PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING  
MINUTES: MAY 3, 2005**

satisfied the Section B of Conditional Use Decision of the Louis & Chris DiDomenico Conditional Use Application. There were no public comments on the motion. The motion was passed by a 3-1 vote with Gordon MacElhenney voting no.

- **W.B. HOMES:** Michael McCloskey was before the board to review revised plans for the proposed plan for the Fontaine Property. Mr. McCloskey explained that he revised the plans after he and his estimator review the drawings to the actual grade. During the design phase, the engineering did not conduct an actual survey. As a result, the plan showed steep slopes that were not really steep slopes. With his estimator, an actual survey was conducted. The result was to do minor redesigning of the plan. That redesign of the final plan is before the board. The planning commission reviewed the plan and recommended that the board consider approval of the revised plan. Also, Mr. McCloskey pointed out that there was a waiver that they should have requested during the previous plan review. This request was from the clear sight triangle. The development will open onto Wartman Road. Since Wartman Road is a state road, the applicant was required to obtain a PADOT Highway Occupancy Permit. In order to obtain this permit, PADOT uses sight distance as their measure. Mr. McCloskey explained that he was able to meet this measure which is more stringent than the clear sight triangle requirement of the township. Since he was able to meet PADOT's requirements and did obtain the Highway Occupancy Permit, the planning commission recommended that the board approve this waiver. After review of the revised plan, Edward Savitsky made a motion seconded by Richard Kratz to approve Resolution 2005-12 as follows:

**COMPLIANCE WITH SUBDIVISION AND LAND DEVELOPMENT ORDINANCE**

1. Parcel A and Parcel B along Woodbridge Road: The Applicant will submit deeds of consolidation before recording of the final plan. Section 11.59(a)(3) Subdivision Ordinance
2. The Applicant shall submit a copy of all permit restrictions regarding the Erosion and Sedimentation Control Plan Approval to the Township. Section 11.60 Subdivision Ordinance.
3. The signatures and seals of the registered professionals shall be included on the plan and the Certificate of Accuracy and Certificates of Ownership shall be completed prior to recording. Section 11.43(a) Subdivision Ordinance.
4. An improvements guarantee, financial security and developer's agreement shall be satisfactorily executed prior to recording. Section 11.29 & 11.30 Subdivision Ordinance.

**GENERAL COMMENTS**

**PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING  
MINUTES: MAY 3, 2005**

1. Shared Access Driveway Maintenance Agreement: The Applicant shall submit copies of the maintenance agreements and the access easements to the Township Solicitor for his review and approval. The metes and bounds, i.e., legal descriptions shall be submitted to the Township Engineer for review.
2. Easement and Easement Agreement Submission: Copies of all easement and easement agreements, including those with adjacent properties, shall be submitted to the Township for the review and approval by the Township Solicitor. The offsite easements, metes and bounds shall also be submitted to the Township Engineer for review.
3. Legal descriptions for all of the easements including the drainage, utility, conservation, access and the road system shall be submitted for review by the Township Engineer prior to recording.
4. PENNDOT Highway Occupancy Permit: The H.O.P. was approved by PennDOT and the permit number has been added on the cover sheet. The applicant shall submit a copy of the permit to the Township under a separate cover. A copy of all highway plans shall be included with the submission.
5. The plan notes shall be expanded to include the appropriate language for the restoration of the disturbed area as a result of the removal of the existing cul-de-sac.
6. The plan sheet 17 shall include all of the vertical curve information for the Merion Lane profile near station 8+55.
7. The steep slope buffer area shall be depicted on all plan sheets.

**STORM DRAINAGE**

1. Note 28 on sheet 2 shall be modified to state only those stormwater facilities within the public right-of-way are to be dedication to Perkiomen Township.

**LANDSCAPING (PER ORDINANCE NO. 173)**

1. Ordinance No. 173 of the Landscaping Plan: The Applicant was granted a partial waiver on August 3, 2004, to not require a filtering buffer along the tract perimeter provided the Applicant maintains the existing vegetation as a buffer. The buffer has been provided in a conservation easement. The conservation easement metes and bounds shall be submitted to the Township Engineer for review.
2. Sheet 24 shows several plantings in a proposed storm sewer easement on Lot 19. The plantings shall be removed from this easement area.

**SANITARY SEWER**

**PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING  
MINUTES: MAY 3, 2005**

1. The Developer's Engineer is responsible for completing and submitting the necessary forms associated with the Pennsylvania Department of Environmental Protection Sewage Facilities
2. Planning Module Application, as required by Perkiomen Township. This planning module shall be approved by Pennsylvania Department of Environmental Protection.
3. A pro-rated connection fee shall be assessed for the tie-in to the Lodal Creek Interceptor through the connection at Buyers Road.
4. Due to the amount of off-site sanitary sewer improvements which are necessary to connect this development to the existing sanitary sewer, a separate improvements agreement shall be established to cover the portion of sanitary sewer that is located outside the boundaries of the proposed development. The off-site sewer agreement shall be between the applicant and the Perkiomen Township Municipal Authority. A satisfactory agreement to all parties shall be executed prior to the recording of the record plan. Section 11.29 & 11.30 Subdivision Ordinance.
5. The sewer main between Merion Lane and Buyers Road is shown located in a 30' wide easement area through two adjacent properties. The Developer shall provide copies of these easements to the PTMA solicitor for review. Of particular importance is the ability to have these easements transferred from the Developer to PTMA.

**SHEET 12/13**

1. In comparing the revised plans to the previous set of plans, it was noted that call-outs for the pipe diameter, manholes and reducers are now not included. It appears that a text layer in AutoCAD may have been turned off. This shall be investigated and the call-outs shall appear on the both of these sheets.

**SHEET 17**

1. The depth of the force main shall be revised to minimize the depth of the line while maintaining a minimum of 4' of cover and 18" vertical separation between storm crossings. It appears this could be accomplished by raising the force main (reducing the depth of bury) by as much as 1-1/2' feet in most areas.

**SHEET 26**

1. The Manhole Anchor Bolt Detail which appeared on the previous revision of plans is no longer shown. This detail shall be included in the plan set.

**WAIVER**

**PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING  
MINUTES: MAY 3, 2005**

1. The applicant is requesting a waiver from Section 11.52(i)(1)(ii) of the Subdivision Land Development Ordinance to allow less than the minimum required 150 foot clear sight triangle for the intersection of Wartman Road and Woodbridge Road. The planning commission recommended the board grant the waiver due to the fact that the reduced triangle meets the Penn Dot criteria for clear sight distance.

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

- **CENTRAL PERKIOMEN VALLEY REGIONAL PLANNING COMMISSION:** At the beginning of the meeting the board held a public hearing and adopted the comprehensive plan of the Central Perkiomen Valley Regional Planning Commission. The next step is to enter into an Intergovernmental Cooperative Agreement that will establish how this plan will be enforced between the six municipalities and the regional planning commission. Before the board can consider this agreement an ordinance authorizing them to enter into the agreement must be considered and passed. Ordinance No. 188 is an Ordinance of Perkiomen Township authorizing the board of supervisors to enter into an Intergovernmental Cooperative Agreement to implement the Central Perkiomen Valley Regional Comprehensive Plan. Gordon MacElhenney made a motion seconded by Edward Savitsky to adopt Ordinance No. 188. There were no public comments on the motion. The motion was carried by a unanimous vote of 4-0. Next, Richard Kratz made a motion seconded by Gordon MacElhenney to approve the Intergovernmental Cooperative Agreement and authorize the appropriate officials to sign the agreement. There were no public comments in the motion. The motion was carried by a unanimous vote of 4-0
- **STORMWATER MANAGEMENT:** As required by the PA Department of Environmental Protection, Perkiomen Township must adopt a Stormwater Management Ordinance. Both the township planning commission and board have been working on one since the beginning of the year. Ordinance No. 189 is the proposed Stormwater Management Ordinance that is being considered by the township. This ordinance is a requirement of the PADEP as it relates to the MS4 Regulations. Basically this Ordinance shall apply to permanent Best Management Practices (“BMPs”) and/or stormwater management facilities constructed as part of any of the Regulated Activities listed below. Stormwater management and erosion and sedimentation control during construction activities are specifically not regulated by this Ordinance, but shall continue to be regulated under existing laws and ordinances.

The following activities are defined as “Regulated Activities” and shall be regulated by this Ordinance:

**PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING  
MINUTES: MAY 3, 2005**

- A. Any Earth Disturbance activity associated with land development and/or redevelopment.
- B. Any Earth Disturbance activity associated with any Subdivision.
- C. Construction of new or additional impervious or semipervious surfaces (driveways, parking lots, patios, tennis courts, etc.).
- D. Construction of new buildings or additions to existing buildings.
- E. Diversion or piping of any natural or man-made stream channel.
- F. Installation of BMPs and/or stormwater management facilities or appurtenances thereto.

There were 2 minor corrections that Kenn Picardi wanted to make to the proposed ordinance. The first correction was to section 304.a.1.c. This amount of time for the water to infiltrate into the ground should be two days, not four. The second correction was to section 906. Clarification needs to be made when the zoning hearing board is involved in appeals and when the board of supervisors is involved. It should be made clear that the zoning hearing board would only be involved where the issue involves a zoning concern. It was Mr. Picardi's opinion that both of these changes were minor in nature, therefore, he recommended that the board approve the Storm Water Management Ordinance without readvertising. Based upon the recommendation of the township solicitor, Richard Kratz made a motion, seconded by Edward Savitsky to adopt Ordinance No. 189 Storm Water Management Ordinance for Perkiomen Township. There were no public comments on the motion. The motion was carried by a unanimous vote of 4-0.

- **OPEN SPACE:** It was made aware that original ordinance, Ordinance 185, included taxing of individuals who are non-residents in Perkiomen Township, but work here. Ordinance No. 190 is an amendment to that original ordinance. The Open Space Lands Act (Act 153) restricts collection of the earned income tax for the purchase of open space to residents only. Ordinance No. 190 would partially repeal Ordinance No. 185 by repealing the section that imposes a tax on non-residents for work done or services performed in Perkiomen Township. The ordinance, in all other respects, remains the same. The board reviewed the draft and Richard Kratz made a motion, seconded by Edward Savitsky to authorize advertisement of Ordinance No. 190 for the June meeting. There were no public comments on the motion. The motion was carried by a unanimous vote of 4-0.
- **FIRE POLICE:** The board reviewed the request of Collegeville Borough to provide traffic control for the Ursinus College Graduation. Richard Kratz made a motion, seconded by Gordon MacElhenney to approve the request and authorize the special fire police to provide traffic control assistance to Collegeville Borough. There were no public comments on the motion. The motion was carried by a unanimous vote of 4-0.

**PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING  
MINUTES: MAY 3, 2005**

- **BETCHER ROAD:** The Township received a letter from Trappe Borough regarding a meeting that they would like to have with Perkiomen Township. The borough would like to discuss issues surrounding Betcher Road. Dates were discussed. It was agreed to tentatively set this date for June 20<sup>th</sup>. Cecile Daniel was directed to contact Trappe Borough.
  
- **APPRAISALS:** The Township received the appraisals that had been authorized previously. Based upon the information set forth within those appraisals, the board directed Kenn Picardi to begin discussion with James Evans for property located at the intersection of School House Road and Gravel Pike and the DeMeno Property located on Pennypacker Road. As to the appraisals for the Meyers and Manns, the board indicated that they will hold an executive session at 8:00 p.m., Tuesday, May 10, 2005 to discuss the real estate/open space transaction for these two properties.

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