

**PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING
MINUTES: JULY 3, 2007**

BOARD MEMBERS PRESENT: William Patterson, Chairman
Richard Kratz, Member
Dean Becker, Member

ABSENT: Edward Savitsky, Vice-Chairman
Gordon MacElhenney, 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

MINUTES: The minutes of the June 5, 2007 Board of Supervisors meeting were approved upon a motion made by Richard Kratz and seconded by Dean Becker. There were no public comments on the motion. The motion was carried by a vote of 3-0.

POLICE REPORT: There was no report received from the PA State Police.

CORRESPONDENCE:

Central Perkiomen Valley Regional Planning Commission: June Minutes
Montgomery County- Board of View Public Hearing Schedule
PSATS Bulletin
Borough of Collegeville – Letter regarding Perkiomen Trail
Lower Frederick Ambulance: Letter regarding yearly donation
Perkiomen Valley Library: Letter regarding yearly donation.

SOLICITOR’S REPORT: Kenneth Picardi reported on the following: (1) T-Mobile: The Cell Phone Tower is under construction. (2) Open Space/Park and Recreation: Reviewed draft Ordinances. (3) Manning: Preparing for hearing before the Zoning Hearing Board. (4) HYK – Trying to set up meeting to work on settlement. (5) Shopping Center – Had a meeting with developer to review proposed development plans.

ROAD MASTER’S REPORT: John Moran Sr. submitted his report for June to the Board. Also, Mr. Moran reviewed the information that he received from the vendors for the purchase of a new truck. Mr. Moran explained that the purchase would be a 2008 International 7400 from G.L Sayre and the dump body, plow and spreader from E.M. Kutz. Both vendors are on the approved vendor’s list of the PACC Contract that is administered by the City of Harrisburg. Mr.

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Moran

explained that due to the new emission standards and the truck being a 2008, the cost of the International Truck, plow, and spreader will be higher than the amount that was budgeted. The increase is approximately 12% more than what was budgeted. It is Mr. Moran's plan, pending approval by the Board, to sell the Chevy truck. The sale of the Chevy should offset some of this increase.

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

CODE ENFORCEMENT REPORT: John Moran Jr. submitted his June report to the Board.

PLANNING COMMISSION REPORT: The Planning Commission held their meeting on June 19, 2007. The following was discussed at that meeting: **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. The preliminary/final plan was reviewed by the Planning Commission for consideration by the Board at the Board's July meeting. (2) **SUSTAINABLE SITE DEVELOPMENT:** This was a presentation and information reviewed by James Bickel.

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

- **2007 ROAD PROJECT** – In March, April, May, and June the Board discussed the proposed 2007 Road Improvements Projects. At the May Monthly Meeting, Richard Kratz requested that the issue of paving of Mayberry be reopened. At the May meeting the Board authorized Ms. Stevens to review the construction numbers for the repaving of Mayberry Road and the cost to install guide rail along Mayberry Road from the gate to Godshall Road. At the June Monthly Meeting, the Board authorized that Mayberry Road from the gate to Township Line Road for a length of 850 LF be completed, that pavement markings be added along Mayberry Road to delineate a walking area for pedestrians, and that guide rail be added for the Godshall Road side of Mayberry Road from Godshall Road to the gate for a length of 425 LF. The Board also agreed, based upon input from the residents who reside along Liberty Alley, to remove that portion of the road work from the project. At the July Monthly Meeting, Richard Kratz again requested that the matter of the work be completed on Mayberry Road be discussed. Mr. Kratz requested that the Board authorize the Pamela Stevens to investigate all the alternatives on repairing Mayberry Road before the Board made a final decision on what type of road work should be completed on Mayberry Road. The Board discussed what alternatives they would like Ms. Stevens to investigate. After due consideration, the Board directed Ms. Stevens to look at the following seven alternatives: (1) fix and open Mayberry Road; (2) do nothing to Mayberry Road; (3) abandon Mayberry Road; (4) do some work on either end of Mayberry Road; (5) mill Mayberry Road and recycling the road and put down the millings;(6) open Mayberry Road and make it one way; and (7) oil & chip

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Mayberry Road.

When completing the investigation, the Board directed Ms Stevens to use a 20-foot cartway as a minimum width. The Board directed Ms. Stevens to hold off on doing any work on Mayberry Road, including the installation of the guide rail along Mayberry Road. Ms. Stevens may have some of the information by the August Board meeting, including the replacement cost of the guide rail along Mayberry Road. The overlay of the roads in the Cranberry Development will continue to move forward.

- **MAYFIELD ESTATES** – Ms. Stevens informed the Board that the Maintenance Bond for Mayfield Estates will expire on July 5, 2007. The amount of the Maintenance Bond is \$30,201.00. The items remaining on the punch list involves the restoration of three of the detention basins with wetland plugs and replacement of a few trees. Ms. Stevens informed that Board the cost to complete the remaining work would be approximately \$10,000.00. Mr. Picardi wrote to David Davis, attorney representing Stewart & Conti, on this matter. Mr. Picardi informed the Board that he has had no response from Mr. Davis. Based upon the direction given to Mr. Picardi by the Board at the June meeting, Mr. Picardi wrote to the bonding company and issued a letter freezing the money. As a result, none of the \$30,201.00 can be released to the developer from the Bonding Company. The Board directed Ms. Stevens and Ms. Daniel develop a list of the plantings that need to be planted in the detention basins. Once this list has been prepared, then Ms. Stevens and Ms. Daniel are directed to obtain three quotes from three different nurseries and return at the August Monthly Meeting with a recommendation as to who the Board should hire to install the plugs in the detention basins and to replant the necessary trees. Ms. Daniel will keep Bill Howells, President of the Homeowners Association informed.

- **HERITAGE WOODS DEVELOPMENT** – Dedication Issues: Ms. Stevens informed the Board that Heritage Building Group is finalizing the items they need for dedication of their development know as Heritage Woods. One of the items that has become an issue is the detention basin located on Lot #9. The property owner showed pictures to the Board that shows that there is standing water in the basin. Ms. Stevens informed the Board that both she and Heritage have discussed the situation with the Montgomery County Conservation District. Presently, the MCCD has directed that the detention basin be left alone. Ms. Stevens is concerned that the basin is not functioning as it should be. It is Ms. Stevens' recommendation that she and a representative from Heritage meet with the MCCD and look at the detention basin to discuss about converting this basin into a standard (dry) basin. Ms. Stevens informed the Board that Heritage has been working on the dedication and is looking for approval of this dedication. The money for the conversion of the detention basin was put in the amount that Heritage would have to place in the Maintenance Bond as part of the dedication process. It is possible that the MCCD may look to Heritage to replace this detention basin with another BMP. There may not be another place on this site to locate another BMP because the site is too tight.

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Ms. Stevens

recommended that she try and put together a field meeting with representatives from Heritage and the MCCD before the Board make a decision about the dedication. Ms. Stevens informed the Board that she has received questions about the sidewalks along the roadway that are a part of the dedication and the replacement of the landscaping. Ms. Stevens has informed the property owners the landscaping will be replaced during the Maintenance Period when it is the right time of the year to replace the plantings and that with regard to the sidewalks, Ms. Stevens informed the Board that the sidewalks should be inspected after one more winter season to see if there are other areas of the sidewalk that need to be replaced. The silt fence that is remaining should be removed now and Ms. Stevens will contact Heritage about that. The Board agreed that there would be no dedication at this time until Ms. Stevens reports back with her meeting with Heritage and MCCD regarding lot #9.

RECEIPTS AND EXPENDITURES: The treasurer read the receipts and expenditures for the month of June. After review of same, Dean Becker made a motion seconded by Richard Kratz to authorize payment of the June bills. There were no public comments on the motion. The motion was carried unanimously by a vote of 3-0.

NEW BUSINESS:

- **RESOLUTION 2007-11: ALLIED WIRE & CABLE:** John Riebow and Gerry Gorski from Gorski Associates were present to discuss a proposed subdivision and land development for Lot #10 of the Iron Bridge Corporation. This proposal is for a company known as Allied Wire & Cable and was reviewed by the Township Planning Commission at its June meeting where they recommended the Board consider approval of the preliminary/final land development and subdivision plan subject to the conditions and waivers set forth within Resolution 2007-11. Mr. Riebow reviewed the plan for the Board. There was one issue that Ms. Stevens raised that was not discussed with the Planning Commission. The Conditional Use decision and the recommendation of the Planning Commission placed the installation of the guide rail on top of the proposed retaining wall. Mr. Riebow submitted revised plans after the Planning Commission's recommendation that places the guide rail along the emergency access road. Ms. Stevens reviewed the proposed change and recommended that the revision, due to the safety of the general public, is a better location and recommends that the Board consider approval of this revision. Ms. Stevens pointed out that the type of guide rail and precise location and installation still needs to be approved by her office and that the guide rail must be installed prior to the issuance, by the Township, of the Use and Occupancy Permit. Since this change is inconsistent with the Conditional Use approval, the Board would need to make this minor amendment to the Conditional Use Decision for Allied Wire & Cable. Also, if the change is acceptable, Resolution 2007-11 would have to be approved with

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this

amendment. With this in mind, Richard Kratz made a motion, seconded by Dean Becker to approve Resolution 2007-11 as amended. Resolution 2007-11 is as follows:

COMPLIANCE WITH THE ZONING ORDINANCE

1. The toe of the retaining wall is on the Riparian Buffer limit and the excavation for the footing will encroach into the Riparian Buffer. The plans and the detail shall be revised to ensure the Buffer is protected and additionally a construction fence shall be installed during the development and construction of the site. Sections 26.2.A.4 and 26.2.B - Zone 1. According to the discussion at the Conditional Use Hearing, a guide rail shall be added to the top of the retaining wall. However, at its July 3, 2007 monthly Board meeting, the Supervisors voted to amend the Conditional Use Decision in order to permit the guide rail to be installed along the emergency access road, as shown on the final plan (rather than on top of the retaining wall as earlier proposed), since this location makes more sense from a safety standpoint, and since the Township Engineer approved of, and recommends, this minor change. The type of guide rail and precise location and installation specifications shall be approved by the Township Engineer prior to installation. The guide rail shall be installed prior to the issuance of a Use & Occupancy Permit for the building.

COMPLIANCE WITH SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

1. All of the certificates shall be completed prior to the recording of the Record Plan, Section 11.43(a) Subdivision and Land Development Ordinance. The plan needs to show the name, license number and seal of the registered professional who prepared the plan as required under Section 11.42(a) and 11.43(a) Subdivision and Land Development Ordinance. The plan will need to be endorsed properly.
2. The required legal documents, ownership and maintenance agreements and plan notes for the shared driveway, future emergency access, 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 Sections 11.42(a)(13)(i) and 11.43(a)(9) Subdivision and Land Development Ordinance.
3. The shared access easement and emergency access easement shall be defined with bearings and distances and legal descriptions shall be provided prior to signing the Record Plans, Section 11.42(a)(13)(i) Subdivision and Land Development Ordinance.
4. The ownership and maintenance of the retaining wall shall be clarified on the plans, and notes satisfactory to the Township Solicitor shall be added to the plans. The easement shall be defined with bearings and distances and a legal description shall be submitted prior to signing of the Record Plans, Section 11.42(a)(13)(i) Subdivision and Land Development Ordinance.
5. The stormwater easements shall be defined with bearings and distances and legal descriptions shall be provided prior to the signing of the Record Plans. The ownership and maintenance of the basin shall be clearly stated on the plans. A stormwater maintenance agreement shall be required.

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Section 11.42(a)(13)(i) Subdivision and Land Development Ordinance.

GENERAL COMMENTS

1. A detail for the depressed curb at the driveway aprons shall be provided on the plans. The depressed curb for the handicap ramps has been provided.
2. A detail for the proposed retaining wall has been provided and complete plans with the building permit and additional information shall be required for the retaining wall at the time of the building permit application. A note shall be added to the Recorded Plan stating this information shall be provided upon submission to the Township of a building permit.

DRAINAGE AND E&SC COMMENTS – ORDINANCE NO. 189

1. The plans propose a few different Stormwater Best Management Practices (BMPs) throughout the project site to address Water Quality (WQ_v) and Recharge (Re_v) requirements. The expectations of these facilities are worthwhile, but useful only under particularly conducive site conditions. An infiltration feasibility evaluation of the project site, as performed by Schuylkill Valley Engineers, Inc., has concluded that the site conditions do not favor stormwater infiltration, whereas very low soil permeability rates and shallow depths to bedrock (an infiltration “limiting zone”) have been observed. The proposed design incorporates particular BMPs (i.e.: infiltration trenches and an infiltration bed) that are intended specifically for stormwater infiltration. The stormwater BMP design should concentrate on “water quality” BMPs that do not depend on infiltration. The PADEP’s stormwater volume abatement requirements shall be satisfied by alternatives other than stormwater infiltration, such as evapo-transpiration and resourceful uses of stormwater. Water quality BMPs shall be designed and specified in accordance with the Maryland Stormwater Design Manual (or the Pennsylvania Stormwater BMP Manual), to satisfy the Township’s WQ_v requirement. The proposed bioretention areas shall incorporate ponding volumes (i.e.: raised outlets) within the facilities and shall also incorporate underdrain systems, especially since infiltration will not be reliable. The design engineer shall address the above concerns regarding the overall BMP design, Sections 303 & 304.
2. The Stormwater Management Report shall be signed and sealed by the Professional Engineer responsible for its preparation.
3. An Operation & Maintenance Plan (Manual) complete with detailed maintenance guidelines for the proposed stormwater management system has been prepared and submitted. Please note that the Manual should be updated appropriately with any revisions to the proposed stormwater management design for the next submission(s), Section 702.A.
4. A Maintenance Agreement for Privately Owned Stormwater Facilities shall be prepared and submitted for review by the Township Engineer and by the Township Solicitor. The Agreement shall be signed by the applicant and recorded with the plans, Section 703.
5. Stormwater management and drainage easements shall be provided for all proposed stormwater management and drainage facilities, including all storm sewer facilities and all BMPs, not just the proposed detention basin. The easements shall be shown on the plans over proposed conditions, Section 403.B.19.

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6. The Township Solicitor shall review Note 10 on Sheet 1 of the plans, regarding ownership, operation and maintenance responsibilities for the proposed stormwater management system.
7. The following items shall be recorded with the Record Plans, Section 702.D.
 - a. Operation & Maintenance Plan (Manual), (See Comment 3).
 - b. Signed Maintenance Agreement, (See Comment 4).
 - c. Stormwater management and drainage easements, (See Comment 5).
8. The statement on Sheet 1 of the plans, acknowledging the stormwater management system to be a permanent fixture, shall be signed by the landowner prior to recording of the plans, Section 403.B.22.
9. The design engineer signature block on Sheet 1 of the plans shall be signed prior to recording of the plans, Section 403.B.23.
10. Bedding and backfill of the proposed storm sewers shall be in conformance with PennDOT RC-30M. The required bedding and backfill materials have not been clearly specified on the current construction detail, Section 311.C.6.
11. A construction detail shall be included on the plans for the proposed storm sewer junction box, Section 311.C.16.
12. Evidence of NPDES Permit and Erosion & Sedimentation Control Plan approval by PADEP and the Montgomery County Conservation District shall be provided prior to the signing of the Record Plan, Section 313.

SANITARY SEWER AND WATER SERVICE COMMENTS

1. The existing lateral connection shown on the plans shall be field verified. A note shall be placed on the Record Plan stating that the contractor shall notify the Municipal Authority and Authority Engineer if the lateral connection is not installed as shown on the plans.
2. The engineer shall provide proof that the number of EDUs required for this property was acquired, rather than just a statement on the last correspondence that states that EDUs have been acquired.
3. The proper disposal requirements of hazardous waste, if any is generated on site, shall be adhered to. A list of the chemicals that will be stored on site shall be submitted to the Township for their review. A Note shall be added to the Record Plan as follows: "Only domestic waste shall be allowed to be disposed of in the sanitary sewer. If anything else is to be disposed of into the sanitary sewer it must be negotiated with Perkiomen Township Municipal Authority prior to disposal and in accordance with any sewer use ordinances. If it is determined that the waste disposed is detrimental to the sanitary sewer or wastewater treatment plant substantial financial penalties could be incurred."
4. A monitoring manhole shall be placed at the location of the cleanout in the grass area. This monitoring manhole will allow the Authority access to monitor the discharge of this facility to ensure compliance with the discharge limitations should it be necessary.

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5. A note shall be added to the Record Plans stating that the following: “An agreement is required with the Regional Authority and/or Municipal Authority providing access to the monitoring manhole at all times or penalties could be incurred.”
6. The engineer shall purchase the standard details from the Perkiomen Township Municipal Authority and add drawings to the plans. Any duplicate details caused by this addition shall be deleted. The Perkiomen Township Municipal Authority takes precedent, for the details that pertain to the sanitary sewer system. The following details shall be added to the plans:
 - a. S-S-02 Standard manhole section
 - b. S-S-07 Standard Manhole Frame and Cover
 - c. S-S-08 Grade Ring Detail
 - d. S-S-10 Manhole Wall Penetration Details
 - e. S-S-11 Typical Lateral Connection
 - f. S-S-15 Connection to Existing Sewer
 - g. S-S-16 Sewer Later Installation Commercial or Industrial
 - h. S-S-18 Bedding and Backfill for Pipe

WAIVERS

1. The applicant is requesting a waiver from providing significant man-made or natural features 150 feet beyond property line as required. The Planning Commission recommended the Board of Supervisors support this waiver since this information was provided as part of the Phase 3A Iron Bridge Corporate Center Subdivision. Section 11.42(a)(10).

LANDSCAPING WAIVERS (PER ORDINANCE NO. 173)

1. Section 2: (Property Buffer) Required softening buffers have not been complied with. All non-residential development requires buffering along property lines. The Applicant was requesting that the Township grant a partial waiver. The request was to grant a partial waiver not requiring the buffer requirements for the adjacent lots since the lots are zoned Industrial. The Planning Commission recommended that the Board of Supervisors grant the requested waiver from Section 21.6.D with the conditions that in addition to the plantings being provided at the passenger vehicles parking area, the Applicant shall add plantings around the on-site stormwater management basin and at the northeast side yard, behind the building. There shall be a note placed on the Record Plan stating: All plant material shall be installed prior to the issuance of a Use and Occupancy by the Township.
2. Section 3: (Parking Lot Screening) Parking lot screening and landscaping does not meet the requirements for screening and landscaping under Section 3. The Applicant was requesting that the Township grant a partial waiver from the requirements for the parking lot screening. The Applicant pointed out that all the adjacent properties are zoned Industrial. The request is for a partial waiver because the Applicant proposes to plant trees only at the passenger vehicle parking area. The Applicant explained that canopy trees will be planted in the passenger vehicle parking

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areas and along the lot street frontage. The Planning Commission recommended that the Board of Supervisors

grant the requested waiver from Section 21.5.B with the condition that the Applicant installed the plant material as discussed and shown on the plans.

There were no public comments on the motion. The motion was carried by a unanimous vote of 3-0.

- **RESOLUTION 2007-12: NATURAL HAZARDS MITIGATION PLAN:**
Montgomery County has adopted a Natural Hazards Mitigation Plan to meet the guidelines set forth by the Federal Emergency Management Agency. The County is asking that the Municipal Governing Bodies adopt this plan. By adopting this plan, the Township will fulfill the mitigation planning requirement that was set forth under the Federal Disaster Mitigation Act of 2000. This Federal Act requires each municipality to have a Mitigation Plan in order to remain eligible for future federal disaster relief funding. The County submitted a copy of the Mitigation Plan and a draft Resolution adopting that plan for the Board's consideration. In order to meet the Federal Act Requirement, Dean Becker made a motion, seconded by Richard Kratz to approve Resolution 2007-12 as follows: Resolution of the Board of Supervisors of Perkiomen Township adopting the Montgomery County Natural Hazard Mitigation Plan.

WHEREAS, natural hazards including flooding periodically threaten the safety of people in Perkiomen Township and result in property damage; and

WHEREAS, the vulnerability of Perkiomen Township to some natural hazard events may be reduced through various mitigation measures; and

WHEREAS, Section 322 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), 42 U.S.C. 5165, enacted under paragraph 104 of the Disaster Mitigation Act of 2000, provides new approaches to mitigation planning and requires local governments to prepare and adopt mitigation plans as a condition for receiving certain federal disaster grants and loans; and

WHEREAS, a Natural Hazard Mitigation Plan has been prepared by the Montgomery County Planning Commission and Public Safety Department working with each municipality in Montgomery County; and

WHEREAS, the plan was prepared in accordance with appropriate federal guidelines established under the Stafford Act; and

WHEREAS, Perkiomen Township participated in the preparation of the Montgomery County Natural Hazards Mitigation Plan; and

NOW THEREFORE BE IT RESOLVED, that Perkiomen Township hereby adopts the

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Montgomery County Natural Hazard Mitigation Plan; and

BE IT FURTHER RESOLVED, the Perkiomen Township will send this Resolution to the Montgomery County Public Safety Office for formal submission with the plan to the Pennsylvania Emergency Management Agency (PEMA) and Federal Emergency Management Agency (FEMA) to enable the plan's final approval.

There were no public comments on the motion. The motion was carried by a unanimous vote of 3-0.

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