

The Peach Bottom Township **Board of Supervisors** met on **May 3, 2017** at 7:00 p.m. in the Municipal Office Building. Members present David E. Gemmill (Chair), Michael Kahl (Vice Chair), and Andrew Jarvis.

Supervisor Gemmill, referring to the April meeting minutes, asked the solicitor if the Markley/Phelps violation has been resolved and fines paid.

The Solicitor informed that he sent a letter to resolve this violation and recoup the costs of the Civil Action without a response. He was directed to call the property owner and explain the process for resolution.

- **Motion** to accept the minutes as presented was made by Supervisor Kahl and 2nd by Supervisor Jarvis, vote 3/0

Old Business

2001 International Dump Truck was advertised for 2 months without a bid being submitted.

- **Motion** to trade the 2001 International Dump Truck at the value of \$15,000.00 was made by Supervisor Kahl and 2nd by Supervisor Jarvis, vote 3/0.

Subdivision & Land Development Plans

Delta Ridge –

Robert Holweck, representative for the development, requested the board approve dedication of Phases 1 & 2 with all improvements in those phases completed by August. They will not have the 95% for inclusion of Phase 3, but plan to finish the entire development with all improvements in 2018.

The Board questioned the storm water basins and the requirements for the NPDES termination in relationship to final approval and dedication.

The Supervisors will adhere to the original agreement signed by the previous Board of Supervisors in 2006. The agreement requires 95% of the lots in the entire development be improved with a single family dwelling.

Hebert, Thomas & Joan owners of 42 Susquehanna Road, Map 1 Parcel 26, are requesting to combine their dwelling lot with an adjoining vacant lot, parcel 23 for a total of 1.34 acres

- **Motion** to approve the combining of Map 1 Parcels 23 & 26 owned by Thomas & Joann Hebert was made by Supervisor Kahl and 2nd by Supervisor Jarvis, vote 3/0

Zoning Ordinance

Section 390 Performance Standards

Planning Commission Member Diamond explained that the amendment deletes the OSHA sound levels and replaces them with the EPA sound levels. Sound levels are measured at the property line. The amendment is not for transient noise, but for chronic noises, annoying to residents in their houses.

The solicitor advised that if a use is permitted, and the ordinance is changed they are protected under preexisting non-conforming use; it protects their rights, if at one time they were lawful.

The Supervisors, Sammy McConnell, David Thompson and Jeff Griffith discussed their concerns, prior experiences, exempt noises, stifling growth and the current commercial and industrial entities within the Township.

The Supervisors tables the amendment to allow for more research and review.

Reports

Solicitor Sharnetzka

An ordinance amendment was presented which allows fees to be set by resolution.

- **Motion** to advertise the ordinance allowing fees by resolution was made by Supervisor Kahl & 2nd by Supervisor Jarvis vote 3/0.

Yohn Subdivision - Map BR Parcel 1G (lots 8, 9 & 10), revert building rights to parent tract. The solicitor will meet with Mr. Yohn to resolve this issue. He does not want to set precedence in moving building rights.

A letter was sent on March 13th to Benjamin & Becky Stoltzfus concerning the combining, building, then separating the parcels noted on their subdivision plan which was approved and recorded in 2012. The plan, in a 5 year period, specified the chain of deeds and combining of the parcels which has never been completed.

Supervisor Jarvis informed that fresh survey stakes have been set.

The attorney was authorized to send a registered letter to the property owner requesting communication.

Attorney Sharnetzka is working with Stock & Leader, the South Eastern School District Legal Counsel, concerning the Exelon Tax Agreement which will expire soon.

Royal Farms, per their bond, all improvements were to be done by June 2nd. The attorney was authorized to send a letter to Two Farms Inc. to clarify that the bond will stay in place until all improvements have been completed.

Treasurer

- General Funds - \$1,304,861.02
- Liquid Fuels Fund - \$286,737.76
- Sewage Fund - \$20,675.53
- Recreation Fund - \$10,471.15

- **Motion** authorizing payment of bills was made Supervisor Kahl and 2nd by Supervisor Jarvis, vote 3/0.

Supervisors

The Road Crew informed of a driveway installation permit issued in December of 2017 that has expired. Phone calls and a letter have not produced any contact. The Supervisors advised to send a registered letter to the property owner requesting compliance.

The Recreation Center Pavilion replacement, construction will begin the week of May 15th.

PennDOT informed that the Dooley Road Bridge replacement will commence after the Mason-Dixon Fair and Parade.

Watson Road Bridge

This single lane bridge will need replacement which can be a 2 year process with engineering and DEP permitting requirements. Once we have an estimated cost we can apply for grants.

- **Motion** to move forward with the process to replace the Watson Road Single Lane Bridge was made by Supervisor Kahl and 2nd by Supervisor Jarvis, vote 3/0.

Frank Diamond requested a no truck sign at the intersection of Flintville & Lay Roads warning truck drivers of the Peapermill Road bridge restriction.

- **Motion** to adjourn at 8:35 p.m. was made by Supervisor Jarvis and 2nd by Supervisor Kahl, vote 3/0.