

**ELK TOWNSHIP
BOARD OF SUPERVISORS
MEETING MINUTES
April 4, 2017**

The Elk Township Board of Supervisors April Meeting convened at 7:00 PM at the Elk Township Building, Lewisville, PA. The following Supervisors were present: Vice Chairman Estace Walters and Member James George. Chairman Albert Jezyk, Jr., was not present.

PUBLIC COMMENT ON AGENDA ITEMS

There was no public comment.

ADMINISTRATIVE ACTION/PRESENTATIONS/CORRESPONDENCE

Elk Township Chester County Declaration of Disaster Emergency

Winter Storm Stella

Estace Walters stated that the Board declared a disaster emergency during winter storm Stella. Emergency Operations Coordinator Stephen Roberts helped with the declaration and federal funds will be available if the storm was big enough. Estace thanked Stephen for his help.

George Robert Gregg & Carolyn Mildred Gregg Preliminary/Final Two Lot Subdivision Plan Dated 8/19/14 Latest Revision 3/24/17; Planning Module Component 1 Latest Revision 2/10/17; AECOM Correspondence dated 3/21/17; Concord Land Planners Correspondence dated 2/24/17

Estace Walters stated that the Township has received the revised George Robert Gregg and Carolyn Mildred Gregg Preliminary/Final Two Lot Subdivision Plan. The Township Engineer will review the revised plan and provide comments to the Board.

George Robert Gregg & Carolyn Mildred Gregg Preliminary Two Lot Subdivision Plan - Requested Waivers of SALDO Section 507.B.1 & 507.B.2 Requiring Improvement of Existing Streets for Lot #1 (no improvements proposed for Rogers Road); and of SALDO Section 402.D.2 Requiring Bearings and Distances on Plan & Right-of-Way Dedication for Lot #1 (additional ROW on Rogers Road is constrained by existing agricultural easement).

Estace Walters stated that the Township Engineer has reviewed the SALDO waiver requests for the George Robert Gregg & Carolyn Mildred Gregg Two Lot Subdivision Plan and has no objections.

On a motion made by Jim George, seconded by Estace Walters, the Board granted the waiver requests of SALDO Section 507.B.1 & 507.B.2 Requiring Improvement of Existing Streets for Lot #1 (no improvements proposed for Rogers Road) and SALDO Section 402.D.2 Requiring Bearings and Distances on Plan & Right-of-Way Dedication for Lot #1 (additional ROW on Rogers Road is constrained by existing agricultural easement) for the George Robert Gregg & Carolyn Mildred Gregg Preliminary Two Lot Subdivision Plan. The vote was unanimous amongst Supervisors present.

Lancaster Home Builders Lots 1 & 3 – AECOM Correspondence dated 3/27/17; Lancaster Home Builders Correspondences dated 3/10/17

Estace Walters stated that the Township Engineer has advised that there are still a few issues to be addressed for the Lancaster Home Builders Lots 1 and 3.

FEMA Correspondence dated 3/29/17 – Revised Flood Insurance Rate Map & Flood Insurance Study Report for Chester County

Estate Walters stated that the revised FEMA Flood Insurance Rate Map will be effective September 29, 2017. There were no additions of and/or modifications to base flood elevations, base flood depths, special flood hazard areas, zone designations, or regulatory floodways.

TOJO Mushrooms (TJA Properties) Preliminary Land Development Plan – AECOM Correspondence dated 3/19/17

Estate Walters stated that the Township Engineer has reviewed the revised TOJO Mushrooms (TJA Properties) Preliminary Land Development Plan and advised on outstanding issues to be addressed. The project is a multi-million-dollar state-of-the-art all indoors facility and the Zoning Hearing Board's decision included numerous conditions. The Board agreed to table the waiver requests for a later date.

Public Comment: Gregg Miller asked where is this located.

Estate Walters stated that it is located at Chrome and Mt. Olivet Road near East Nottingham Township.

Department of Agriculture Bureau of Dog Law Enforcement - 2017 Dog Licensing Campaign

Estate Walters stated that the Bureau of Dog Law Enforcement will conduct a dog licensing campaign on May 17th. Dog wardens will be going door-to-door to educate dog owners and check the status of dog licenses and rabies vaccinations.

DEP E-mail dated 3/30/17 – MS4 Advanced Waiver Request

Estate Walters stated that DEP has granted the MS4 advanced waiver request. The Township will still need to submit the application for formal approval.

Public Comment: Linn Klein asked if DEP is looking only at stormwater and not farm run-off.

Estate Walters stated that farm run-off is in the farm management plan.

Estate Walters stated that this is good news and expressed thanks to the Township Engineer for staying on top of this.

There was further discussion about the drainage issue on Route 472 near Glen Hope Road. The Board has previously looked at this with the State but it was never fixed. Estate Walters will try to set up a meeting with Penn DOT.

STAFF REPORTS

Secretary's Report

On a motion made by Estate Walters, seconded by Jim George, the March 6, 2017 Board of Supervisors Meeting Minutes were approved. The vote was unanimous amongst Supervisors present.

Treasurer's Report

On a motion made by Estate Walters, seconded by Jim George, the Bills to be Paid for April, with the exception of Roadmaster Payroll, were approved. The vote was unanimous amongst Supervisors present.

Tax Collector

March 2017: \$6,352.51

Trail Coordinator

Trail Coordinator Pal Durborow reported that there has been ATV damage in the Chrome Barrens. There is one sign and Pal would like to get additional signs for where ATV's are entering. Pal also reported that the Township received a letter about dogs not being leashed on the Springlawn Road Trail, and that he can get "dogs must be leashed" signs if the Board wants those.

Estate Walters stated that the letter included concerns about unleashed aggressive dogs and being scared by these dogs.

Jim George stated that this is not the first incident reported and that the Board understands dog owners wanting to let dogs run but dogs can't run amuck on the trail. The Board will review this with the Township Solicitor and look into posting signs.

Trail Coordinator Pal Durborow stated that this could be a liability issue which is why the Board needs to consult with the Township Solicitor.

Public Comment: Suzanne Dougherty stated that she was chased on her bike by dogs and the Board should post signs. Lin Klein stated that East Nottingham requires leashes and asked what happens if someone wants to take beagles to chase rabbits or do fox hunting. Jim Whitesell suggested doing a newsletter to get the word out. Gregg Miller asked if the Township can charge out-of-state residents.

Jim George stated that the Township may not be able to require more than the County or State, that a newsletter isn't a bad idea, and that it is a public trail. Jim stated that the Board wishes it didn't have to do something and he encouraged people to be friendly and courteous.

Estate Walters stated that the Board will discuss this with the Township Solicitor and thanked everyone for their input.

Planning Commission

March 2017: PC discussed Stan Corbett's correspondence concerning the TOJO Mushrooms plan; Stan will attend the April Planning Commission meeting; and PC reviewed Gregg subdivision plan and is awaiting Stan's comments.

Zoning Hearing Board

Albert Jezyk referred to Zoning Hearing Board Attorney Thomas F. Oeste e-mail dated March 28, 2017 notifying James Whitesel, Jr. (Applicant) that the Zoning Hearing Board granted a variance to permit the construction of a residential driveway with a minimum site distance of 230. The variance was granted subject to conditions and Attorney Oeste will mail the written decision to Mr. Whitesel in about 30 days.

Building/Zoning Report

March 2017: One (1) zoning permit issued; one (1) building permit issued; no occupancy/demolition/sign permits issued; one (1) complaint received.

Roadmaster

Roadmaster Estace Walters reported that Ray took care of some storms and did a good job; he picked up tires on Barren Road and trash on Glen Hope and Hickory Hill Roads; and he got a couple of calls about snow plowing and a couple of residents in cul-de-sacs left with big piles of snow in front of mailboxes which Ray took care.

Public Comment: Linn Klein expressed thanks for not leaving a pile of snow in front of her driveway.

Historic Commission

No report.

Emergency Management Coordinator

Emergency Management Coordinator Stephen Roberts reported that he, Milt Rudy and Thomas Shar worked on the POD volunteer list and sent newsletters to volunteers. OXREM will be hosting a meeting to inform residents about ReadyCHESCO. The meeting will be held on April 27th at 6:30 PM at the Oxford Senior Center.

Oxford Area Recreation Authority

March Report: OARA does not plow park parking lot; park is closed in snow; still need volunteers for pitch, hit and run competition on April 29th; applied for PECO grant; and have new board member John Reynolds representing Oxford Borough.

OLD BUSINESS

Annual Clean-up Day

The Board agreed to schedule the annual clean-up day for Saturday, April 22nd.

Dog Barking Ordinance

Estace Walters stated that the Board will still need to discuss the dog barking issue.

Jim George stated that the Board also still needs to discuss the dog leash issue. The Board can't go against the State and is concerned about enforcement.

Public Comment: Gregg Miller stated that the SPCA will enforce and that the Township could have the caller pay for it.

Jim George stated that the Board needs the Township Solicitor's advice but intends to do something about this. Jim also stated that no one should have to endure that, there should be a limit on the amount of dogs, and the Board can't supersede the State/County.

NEW BUSINESS

Jeffrey & Tammy Pegram Notice of Incident Re: Snow Removal Contractor

Estace Walters stated that the Township received notice from Jeffrey and Tammy Pegram that the plow contractor took snow sticks from their property. Estace followed up on this by speaking with Ray Ramberger and with the Pegrams. Ray Ramberger told Estace that he had been looking for any damage done by the snowplows, accidentally ran into the snow sticks, and apologized to the Pegrams. Estace conveyed this to the Pegrams and they did not believe it.

Jim George stated that the Board will discuss this with the Township Solicitor.

Mt. Olivet Road Paving

Estate Walters stated that the estimate for East Nottingham Township to pave Elk Township's portion of Mt. Olivet Road is \$63,154.00 and this will include some storm drainage improvements.

On a motion made by Jim George, seconded by Estate Walters, the Board agreed to East Nottingham Township's estimate of \$63,154.00 to pave Elk Township's portion of Mt. Olivet Road conditioned upon East Nottingham Township's contractor(s) providing the required paperwork and proof of insurance. The vote was unanimous amongst Supervisors present.

PUBLIC COMMENT

John Coldiron, Sr., stated that he helps the Amish with building issues and will submit an application for zoning hearing for an Amish schoolhouse.

Stephen Roberts suggested spending money on roads since we didn't have a severe winter.

Estate Walters stated that he and Jim at will put together a priority list for roadwork and do a ride-the-roads. Tar and chipping has previously been done but that doesn't always last long. The Board would prefer to pave and will do main roads first then developments.

Michele Peterson asked if there's any plan to fix the dirt areas at the Township owned house, and stated that the school bus sign is upside down on Route 841.

Pal Durborow stated that signs are down along Route 472.

Jim George stated that the Board will have the lawn area reseeded as soon as possible.

Estate Walters stated that he will follow-up with the State about the signs.

Meetng Adjourned at 8:25 PM.

Respectfully Submitted,

Terri Kukoda
Secretary/ Treasurer