

**ELK TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING MINUTES  
June 5, 2017**

The Elk Township Board of Supervisors June Meeting convened at 7:00 PM at the Elk Township Building, Lewisville, PA. The following Supervisors were present: Chairman Albert Jezyk, Jr., Vice Chairman Estace Walters and Member James George.

**PUBLIC COMMENT ON AGENDA ITEMS**

There was no public comment.

**ADMINISTRATIVE ACTION/PRESENTATIONS/CORRESPONDENCE**

**Executive Session w/Gwendolyn Lacy of The Land Conservancy**

Al Jezyk announced that an Executive Session was held prior to tonight's meeting with Gwendolyn Lacy of The Land Conservancy to discuss possible acquisition of the Patricia duPont parcel.

**Elk Township Grant Proposal for Patricia du Pont Foundation Property Acquisition for Creation of a Public Nature Preserve (Project); The Land Conservancy of Southern Chester County (Applicant)**

Gwendolyn Lacy of The Land Conservancy gave a slide presentation on The Land Conservancy and on the grant proposal for the Patricia du Pont property acquisition.

Public Comment: Milt Rudy asked if the property would be for public or private use. Lin Klein expressed concerns about the amount of people attending a public event; Thomas Shar asked what is the source of the funding.

Estace Walters asked about the location and stated this would be better than a housing development.

Gwen Lacy explained that the use would be for a public nature preserve, that TLC would send letters to neighbors for public events and have additional parking on a mowed grass area, and that grant funding would be from the County, State, and Township.

**George Robert Gregg & Carolyn Mildred Gregg (Deceased) Two Lot Subdivision Preliminary/Final Plan dated 8/19/14 latest revision 4/24/17**

Al Jezyk stated that a revised plan has been submitted for the George Robert Gregg & Carolyn Mildred Gregg Two Lot Subdivision Preliminary/Final Plan. The plan has been forwarded to the Township Engineer for review.

**James A. Whitesel Application for Post Construction Stormwater Managemet; Stormwater Management Plan for Heritage Builders dated 4/27/17; Agreement for Professional Plan Review Services (James H. & Donna L. Whitesel); AECOM Correspondence dated 5/31/17**

Public Comment: James Whitesel asked about the status of his stormwater management plan.

On a motion made by Jim George, seconded by Estace Walters, the Board approved the Stormwater Management Plan for Heritage Builders (Whitesel Parcel #70-4-19.2C) conditioned upon all of the Township Engineers review comments as noted in AECOM correspondence dated May 31, 2017 being satisfactorily resolved. The vote was unanimous.

Estace Walters stated that all review comments need to be satisfactorily resolved and this does not guarantee anything.

Jim George stated that the applicant still needs to complete everything.

On a motion made by Jim George, seconded by Estace Walters, the Board agreed to sign the Agreement for Professional Plan Review Services between James H. & Donna L. Whitesel and the Township. The motion was unanimous.

**PA DEP Correspondence dated 5/3/17 MS4 Program**

Al Jezyk read aloud PA DEP correspondence dated May 3, 2017 reminding Townships of the MS4 requirements. The Township has received initial notification of approval of an MS4 waiver.

**PA DEP General Permit Acknowledgement Notification for John King Rebuild Stream Crossing Project**

Al Jezyk referred to the PA DEP General Permit Acknowledgement Notification for the John King Rebuild Stream Crossing Project. The Township Engineer has advised that no action is required by the Township.

**FEMA Correspondence Re: Revised Flood Insurance Maps, FIRM Index & FIS Report**

Al Jezyk referred to FEMA correspondence regarding the revised Flood Insurance Maps, FIRM Index and FIS Report. There have been no changes to the Flood Insurance Maps for Elk Township.

**DuVall-Wolve Stormwater Management/Erosion & Sediment Control Plan; AECOM Correspondence dated 5/15/17**

Al Jezyk referred to AECOM correspondence dated May 15, 2017 providing review comments to be addressed for the DuVall-Wolve Stormwater Management/Erosion & Sediment Control Plan.

**Christian L. and Fannie K. Fisher Subdivision/Land Development Plan Agreement to Extend Requirements of the PA Municipalities Planning Code Section 508 (53 P.S. 10508)**

On a motion made by Jim George, seconded by Estace Walters, the Board agreed to sign the Christian L. and Fannie K. Fisher Subdivision/Land Development Plan Agreement to Extend Requirements of the PA Municipalities Planning Code Section 508 (53 P.S. 10508). The vote was unanimous.

**TOJO Mushrooms Preliminary Plan dated 12/4/10 Latest Revision 4/26/17; Town Square Engineering Correspondence dated 5/10/17**

Al Jezyk referred to Town Square Engineering correspondence dated May 10, 2017 responding to the Township Engineer's March 20, 2017 review comments. The revised TOJO Mushrooms Preliminary Land Development Plan has been forwarded to the Township Engineer for review.

**Resolution No. 2017-03 Addition of Parcel #70-1-10.1 to the Elk Township Agricultural Security Area**

On a motion made by Jim George, seconded by Estace Walters, the Board adopted Resolution No. 2017-03 Addition of Parcel #70-1-10.1 to the Elk Township Agricultural Security Area. The vote was unanimous.

**STAFF REPORTS**

**Secretary's Report**

On a motion made by Estace Walters, seconded by Al Jezyk, the May 1, 2017 Board of Supervisors Meeting Minutes were approved with the following revisions: Page 1 change "Execution Session" to "Executive Session" and change "Al Jezyk is not sure if he is in favor" to "Al Jezyk is not in favor"; Page 2 change "with case law to share with" to "case law to summarize for".

### **Treasurer's Report**

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

On a motion made by Jim George, seconded by Al Jezyk, the bill to be paid for Roadmaster was approved. Estace Walters abstained from the vote.

On a motion made by Al Jezyk, seconded by Estace Walters, the bill to be paid for Assistant Roadmaster was approved. Jim George abstained from the vote.

### **Tax Collector**

May 2017: \$9,129.27

### **Trail Coordinator**

No report.

### **Planning Commission**

May 2017: PC suggest notifying farmers in the ASA area of the 7-year revision opportunity; PC paged through the TOJO revised plan and questioned the limit of water allowed to be drawn for daily use.

Public Comment: Thomas Shar stated that he thought the conditions included a limit on how much water could be withdrawn in per day.

### **Zoning Hearing Board**

The Zoning Hearing Board conducted hearings on June 1, 2017 for the John D. Coldiron application (Peacedale Amish Parochial School; Christian & Fannie Fisher) and the Tim Siple application (use of an existing building for a two-family detached dwelling). The Zoning Hearing Board granted both applications with conditions.

### **Building/Zoning Report**

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

### **Roadmaster**

Roadmaster Estace Walters reported that he picked up some more dumped tires, met with a resident on Hickory Hill Road about runoff, Mt. Olivet base is done and paving is starting this week, Dave Harlan cold patched potholes, Chris Weaver moved township banks, and Jim raked and seeded the area for the water line. Estace will put together a list for possible paving projects.

Public Comment: Lin Klein asked about trees cleared and possible run-off for a driveway on the Woolsten property, and asked if Estace has heard from the County on the covered bridge guard rails.

Estace responded that he saw that trees were cleared but didn't see any run-off, and that he hasn't heard from the County but will follow-up.

### **Historic Commission**

No report.

**Emergency Management Coordinator**

Al Jezyk read aloud Emergency Management Coordinator Stephen Roberts memo to the Board regarding 2017 OXREM dues. OXREM has a table at Oxford's First Friday, made a presentation to the Oxford Rotary Club, and hosted a Severe Weather Emergency Exercise for participating municipalities. Deputy Emergency Management Coordinator Milt Rudy will be at the Volunteer Fair at the Oxford Library on June 14<sup>th</sup>.

Public Comment: Thomas Shar stated that POD volunteers are still needed including key leaders.

Al Jezyk thanked Stephen, Milt and Tom for all their help.

**Oxford Area Recreation Authority**

May Report: OARA recognized seventeen youngsters who took honors in the Pitch Hit & Run competition; will be holding a Haunted Park for the Halloween Season; yoga in the park is back on Sundays; summer meetings are on 3<sup>rd</sup> Thursday of the month.

**July Board of Supervisors Meeting**

The Board agreed to reschedule its July meeting for Monday, July 10<sup>th</sup>.

**OLD BUSINESS**

No old business.

**NEW BUSINESS**

**Landscapes III**

Al Jezyk stated that the County is looking for input on the Landscapes III public survey.

**Public vs. Private Nuisance**

Jim George summarized a memo from the Township Solicitor regarding nuisance statutes and private vs. public nuisances

Public Comment: Gregg Miller asked what is the procedure and when is it an appropriate time to call about this issue.

Jim George stated that it is not a matter of proof but the avenue of remedy, and that the Board is not going to take any action on this.

**PUBLIC COMMENT**

No further public comment.

Meeting adjourned at 8:30 PM.

Respectfully Submitted,

Terri Kukoda  
Secretary/ Treasurer