

**ELK TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING MINUTES  
October 1, 2012**

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

**PUBLIC COMMENT ON AGENDA ITEMS**

No public comment.

**ADMINISTRATIVE ACTION/PRESENTATIONS/CORRESPONDENCE**

**State Road Bridge Replacement Project – Larson Design Group Correspondence dated 9/21/12**

Pal Durborow referred to Larson Design Group correspondence dated September 21, 2012 regarding the State Road Bridge Replacement Project. Larson Design Group has provided the Township with the drawings and the detour route. The project is scheduled for the 2014 construction season. The Township does not know how long the bridge will be down. Public comment forms are available for comment by the public on the project.

**Christian L. & Finnie K. Fisher Preliminary Subdivision Plan – Chester County Planning Commission Correspondence dated 9/10/12 & URS Corporation Correspondence dated 9/6/12**

Pal Durborow referred to Chester County Planning Commission correspondence dated September 10, 2012 and URS Corporation correspondence dated September 6, 2012. Chester County Planning Commission comments included that the applicant is requesting two waivers and that the Commission has no planning issues with the application. URS Corporation comments include no objection to most of the waiver requests, issues to be addressed for the Subdivision and Land Development Ordinance, issues to be addressed for the Zoning Ordinance, and procedural advice on the DEP sewage facilities waiver form.

**TJA Properties (TOJO Mushrooms) Water Availability & Impact Study - Draft Letter to Nearby Property Owners**

Pal Durborow stated that the Board discussed the TJA Properties (TOJO Mushrooms) Preliminary Land Development Plan Water Availability & Impact Study last month. As part of the study, the TJA Properties (TOJO Mushrooms) hydro-geologist will be look at neighboring wells. TJA Properties (TOJO Mushrooms) has requested that the Township send a letter to the neighboring property owners. Pal Durborow read aloud the draft letter to the neighboring property owners.

**The Bluffs at Big Elk Creek Subdivision**

Pal Durborow stated that the Township has been talking off and on with the developer for The Bluffs at Big Elk Creek over the last five years. The Developer will need to provide the deeds for the open space and the deeds for the stormwater easements.

**Peacedale Court Subdivision**

Pal Durborow stated that the Peacedale Court Subdivision issue is still being discussed with PennDOT. The entire packet will be sent to Representative John Lawrence in hopes that he can help move things along with PennDOT.

**2012-2013 Budget Work Meeting**

The Board agreed to schedule the 2013 Budget Work Meeting for the third Tuesday in October.

**Chester County Workforce Investment Board Draft 2012-2017 Workforce Investment Act Local Plan**

The Chester County Workforce Investment Board has provided notice that the Draft 2012-2017 Work Investment Act Local Plan is available for public review.

**Chester County Health Department Municipal Waste Management Plan Revision**

The Chester County Health Department has provided the proposed revision to the Chester County Municipal Waste Management Plan. The Chester County Commissions must formally adopt the revision and then submit it to DEP for review/approval.

**Chester County Act 167 Plan Update**

The county has advised that the Act 167 Plan 45-day public review period begins on October 12, 2012.

**STAFF REPORTS**

**Secretary's Report**

On a motion made by Estace Walters, seconded by Albert Jezyk, the September 3, 2012 Board of Supervisors Meeting Minutes were approved. The vote was unanimous.

**Treasurer's Report**

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

On a motion made by Al Jezyk, seconded by Pal Durborow, the Bill to be Paid for Roadmaster Payroll was approved. Estace Walters abstained from the vote.

**Tax Collector**

Real Estate:           \$140.92

**Planning Commission**

Pal Durborow referred to the September Planning Commission Meeting Minutes stating that the Commission reviewed the Chester County Health Department's correspondence concerning the Chris and Fannie Fisher subdivision.

**Zoning Hearing Board**

No action.

**Building Report**

Pal Durborow referred to the September Monthly Building Report stating five inspections were performed; seventeen inquiries were received; and no Building Permits were issued.

**Zoning Report**

Pal Durborow referred to the September Monthly Zoning Report stating five inspections were performed; thirteen inquiries were received; and one Zoning Permit was issued.

**Roadmaster**

Roadmaster Estace Walters referred to the September Roadmaster report stating that he got calls about trees down; he called the Sate about the dip on Strickersville Road, trash at 1111 Lewisville Road, and debris on Lewisville Road; he weed-eated the lot at the Barren Road and Chrome Road intersection; the State fixed the guard rail on Chrome Road; Pal cleaned up bags of trash on

Barren Road at the trail; and Dave Harlan should be ready this month to start on our road projects.

### **Post Office Committee**

Pal Durborow referred to the 2<sup>nd</sup> Quarter Post Office Committee report showing an ending balance of \$17,981; and to the 3<sup>rd</sup> Quarter Post Office Committee Report showing an ending balance of \$16,914.

### **Historic Commission**

Mary Gruber reported that two Historic Tour buses were full and that there was a quest speaker. The Historic Commission purchased a lateral file with the proceeds from the Historic Tours.

### **OLD BUSINESS**

#### **Chrome Barrens**

Pal Durborow stated that the Township is working with the Nature Conservancy on issues related to the Chrome Barrens. Signs need to be installed but lights need to be installed first. Solar lights are being considered. Leftover rock from Springlawn Road will be placed at the entrance to keep jeeps from entering.

#### **Oxford Region Multimunicipal Comprehensive Plan**

Al Jezyk provided an overview of the Oxford Region Multimunicipal Comprehensive Plan and fair share zoning. The Joint Comprehensive Plan has been adopted and an inter-governmental agreement is now required. The inter-governmental agreement will allow further discussion on multimunicipal joint zoning. The Township must allow for all uses as is required under fair share zoning. Multimunicipal zoning will allow these uses to be shared between the five Townships and the Borough of Oxford. The Multimunicipal Comprehensive Plan Committee will work on the inter-governmental agreement over the next few months. The Committee includes representatives from each of the five Townships and the Borough of Oxford. East Nottingham Township is the only one of the six that has not yet adopted the plan. It is expected that East Nottingham Township will be adopting the plan.

#### **Long View Farms Purchase of Development Rights/Easement**

Estate Walters stated that the County has advised that the rating scores on Long View Farm property are too low. The County would need Brian Campbell to absorb some of the costs or get other to contribute. If Brian Campbell does not agree with the County's assessment, he can refuse the offer. The County's scores are based on various priorities including the developable lot value.

### **NEW BUSINESS**

No new business

### **PUBLIC COMMENT**

Melanie Hesse asked about the status of a zoning complaint filed for violation of the noise ordinance (shotgun blasts). Melanie stated that she measured the decibels and is confident that a violation has occurred. Melanie also asked about the enforcement of Fireworks violations.

Sue Ellen Hunter also asked about the status of the zoning complaint filed for violation of the noise ordinance (shotgun blasts). Sue Ellen stated that her horses are very frightened and being jeopardized. Sue Ellen stated that Fireworks is also a hazard and that she has called the State Police and PA Game Commission. Sue Ellen asked whom should she call next year, the Township or the State Police.

Pal Durborow stated that the Zoning Officer has received the zoning complaint and that it has been forwarded to the Township Solicitor and Township Engineer. Pal stated that the Board must consult with the Township Solicitor to make sure any legal issues are covered. Pal stated that the Township does not issue permits for Fireworks. Pal stated that Fireworks might be covered under Federal or State Law enforced by the State Police and/or Fire Marshall. Pal stated that there should be a response to the zoning complaint by the next meeting.

Estate Walters suggested that Sue Ellen contact the ATF about the Fireworks.

Meeting Adjourned at 7:45 PM.

Respectfully Submitted,

Terri Kukoda  
Secretary/ Treasurer