

The Peach Bottom **Board of Supervisors** met on **September 9, 2009** at 7:00 p.m. in the Recreation Center. Members present D. Stewart, J. Johnson and J. Ailes.

A **motion** to accept the minutes as presented was made by J. Ailes and 2nd by J. Johnson vote 3/0

Public Comment –

Maria Payan asked what the Township is planning to do with the litigation. The Attorney replied that we are planning to defend it. She also presented the board with a letter from a member of the ZHB, which questioned her business and she feels this letter is harassment almost threatening.

Rick Ammons expressed his appreciation for the road work completed in the last couple of years.

Conectiv -

Mike DeCasale of Conectiv has loaned a **sound meter** to the Planning Commission for use in sound determinations for ordinances in the development stage. When the time comes under the ZHB decision Conectiv will purchase a new one for the Township.

Radomsky -

William Radomsky owner of 218 **Forest Ridge Road, Map 4 Parcel 19**. After the initial permit expired he was given an extension from November 31, 2008 to August 31, 2009. He is now requesting another 9 month extension and presented progress pictures since the last request. The Zoning Officer informed that he needs to have the septic system and retention basin installed, spouting and trim work completed.

A **motion** to require the septic system be installed by the end of November and another 9 month extension to complete the structure was made by D. Stewart and 2nd by J. Johnson vote 3/0

Diane Thomas owner and resident of 543 Miller Road would like to file a nuisance complaint.

The barn located next to her property is no longer used as a pig barn and is emitting odor and gases. Maintenance of the building is nonexistent; a tree has fallen on the entrance of the building and rats have been seen in the area during the day. A hole has been broken into the front of the building and she asked if the owner acquired a demolition permit. This building is a hazard, has an adverse effect on our property value and our health, it needs to be investigated and sited and the waste should be considered hazardous. There are no agricultural animals in the building and according to Representative Saylor's office it is not considered an agricultural building. She informed of numerous health issues experienced by her family in the last 3 years. Their wells tested high for nitrates and coliform which indicated the manure tank may be leaking.

The Attorney stated that it can be a nuisance, but does not need a permit to remove it.

Mrs. Thomas informed that the building is open and rain may be getting into the 40 years old pit with possible leakage through the concrete and rebar.

The Attorney stated that the Township does not have the ability to determine if this is hazardous, but the Township has gone after dilapidated structures that are not in useful condition and are dangerous to neighbors.

Considering the barn/structure non agricultural since it no longer contains pigs was debated.

M. Payan stated that she was at the same meeting in Saylor's Office and confirmed the non ag determination. If it is not capable of holding animals it is not an agricultural building.

Supervisor Stewart said they need to close up the hole and put rat poison inside.

Attorney inserted, if it is water tight then the water will evaporate and dry, there will not be an odor.

E. Gemmill informed that the pit was pumped out when the pigs were removed.

Supervisor Stewart asked the owner to clean up the insulation that has blown onto the neighboring property.

It was agreed that if the water is kept out the pit will dry up.

D. Gemmill stated that the building is being opened to create access for storage of hay, straw or lumber; it will be a lean-to or pole barn. No water is getting into the pit. To confirm that they close the hole, secure the building so that water is not getting in and rat poison is placed inside the Supervisors will visit the site within the next 30 days
D. Thomas was advised to attend the next meeting for a report from the Supervisors.

Definition – movable agricultural building or structure

A structure or building used for agricultural purposes that is mounted on skids or wheels and does not require dismantling in order to be moved. The attorney will write up the definition for the next Supervisors meeting.

Letters Requested

Baldwin – 605 Wise Rd., Map AP Parcel 1J – On Lot Management violation

Frantz- 747 Cold Cabin Rd., Map CQ Parcel Y34 R0026 – On Lot Management violation

Goodman – 226 Pine Tr., Map 1 Parcel 411 – On Lot Management violation

Miller – 611 Miller Rd., Map BO Parcel 23 – On Lot Management violation

Notified in April and May and have not complied

Traup– 293 Grove Rd., Map CQ Parcel 11E- decks without permits, picked up application, never applied for the permit they need both Zoning and UCC permits.

Motion to have the Attorney send the requested letters was made by J. Ailes and 2nd by J. Johnson vote 3/0

Podwell – 223 & 237 Quarry Rd, Map AP Parcel 46J, nothing has changed, the trailer is still there and court is scheduled for October 1, 2009 at 9:00 a.m.

Kutrick -139 Slate Spring Rd., Map 10 Parcel 15, was given a 90 day extension to comply with the OLM inspection or he must present cost and reason for non compliance at the August Supervisors Meeting. He did not attend the meeting and his property now for sale. The Zoning Officer informed the real estate agent that the trailer is no longer under a hardship permit issued in 1992 for his mother and is to be removed. The On Lot Management inspection can wait to see if he gets it sold. The trailer removal time frame was discussed.

Motion to require the trailer be removed within 60 days or if the property is sold it has to be removed prior to the septic inspection was made by J. Ailes and 2nd by J. Johnson vote 3/0

Treasurers report - Liquid Fuels Fund \$171,511.43 - General Fund \$471,427.37

Large Item Drop off is scheduled for November 7th

Motion to pay the bills was made by J. Johnson and 2nd by J. Ailes vote 3/0.

An **Executive Session** was held on August 17th from 5:30 p.m. to 7:30 p.m. concerning personnel and finance.

The Gemmill hog finishing barn has been review by the engineer, a measurement problem needs to be corrected and then the permit can be issued.

A **Motion** was made by J. Johnson for the Supervisors entertain the idea of hiring a 4th road person. Supervisors Stewart and Ailes stated we have alternates for winter events. Motion died for lack of a second.

Motion to adjourn at 7:57 p.m. was made by J. Ailes and 2nd by J. Johnson vote 3/0

The Supervisors requested the public empty the room to allow them to have an Executive Session with the Attorney.