

VALLEY TOWNSHIP SUPERVISORS' MINUTES

October 13, 2010

Attendance:

Chairman Gary Derr, Supervisor/Secretary Judy Achy, Solicitor Tom Leipold, Planning Chair Tom Bedisky, Zoning Hearing Board Chair Judi West and Road Foreman Frank Lehman. Public was represented by Walter Rupert, Ken & Lori Piestrak, Peter Uhl, Naren Srivastam, Tanima Reynolds (architect), Attorney Thomas Clark and Danville News Reporter, Karen Blackledge.

Call to Order:

Chairman Gary Derr called the meeting to order @ 7:00 p.m. with all in attendance reciting the Pledge of Allegiance.

Approval of Minutes:

Motion to approve the minutes of September 8, 2010 was made by Judy, 2nd by Gary and motion approved unanimously.

Citizens' Comments:

Attorney Thomas Clark representing the Hindu Temple reported that it is absolutely true that the Valley Township Supervisors have nothing to do with any deed restrictions. Mr. Clark said that because the Hindu Temple owns Lots 6, 2, 3, 4 and 7, they are the majority and if any modifications need to be made regarding the deed restrictions, these modifications can be made. Our solicitor, Tom Leipold, agreed and again, reiterated, that if the neighboring residents have an issue with this, it is truly a civil matter and must be dealt with the court system.

Reports:

(1)

Fire Department – Mike Kull not in attendance so there was nothing to report from the fire department.

(2)

Planning Commission – Tom Bedisky reported on their meeting of 10/6/10. He indicated that Ken Piestrak presented a copy of the deed for Hidden Halley Estates. He informed the commission of the deed restrictions that exist for the future site of the Hindu temple. The restriction reads as follows: 'No more than one (1) house, together with all appurtenant outbuildings shall be constructed on any lot in the subdivision. The barn site is excluded from this restriction and may have a Commercial Business that zoning allows'. The commission informed the concerned residents that Valley Township Zoning for this property allows churches and places of worship as a permitted principal use and structure. Mike Kull indicated that our solicitor has deemed it a civil matter to be taken up by the courts. A review of the original subdivision showed no deed restrictions on the plan and no action taken. Peter Uhl representing Matteo Lucoca, presented a plot plan to add a 4.41 acre parcel owned by Eastern Communities limited to Mr. Lucoca's existing property along Rt. 642. There is a 30' parcel of ground separating the two parcels that is currently owned by another party who is in a nursing home. Lawyers are trying to obtain power of attorney to purchase this parcel and add it to Mr. Ludoca's property. The commission informed Mr. Uhl that until this issue is resolved, the 4.41 acres would be a separate parcel and not an add-on. No action taken.

(3)

Solicitor – Tom mentioned that we would need to adopt the county’s stormwater ordinance but he was going to check into this because Valley’s stormwater ordinance may already be more stringent.

(4)

Zoning Officer – George was not in attendance.

(5)

Municipal Authority – Minutes from their past meeting were dispensed to the supervisors.

(6)

Road Foreman/Equipment Report – Frank Lehman reported that the line painting was done on Indian Run, McCracken, Hess Hill & Wagon Wheel Roads. He reported that the tar and chipping work on Klein Road was complete. Judy reported that she had a complaint regarding Bogart Road and Frank indicated that this area needs to be raised before any major roadwork can be completed there because the area is too low, too wet and two manholes that would need to be elevated.

(7)

SEO – No word from Bill Toth.

New Business:

Judi West, Chairman of the Zoning Hearing Board, notified the supervisors that their decision regarding the Sensening Property is being appealed. Tom Leipold agreed that if the supervisors agree, Attorney Hill can go forward and defend the Zoning Hearing Board decision. Judi West will notify Attorney Hill to please go forward and file a brief.

There was also discussion regarding increasing the Zoning Hearing Board Fee and Attorney Leipold indicated that a reasonable average is \$350 - \$500. We should notify Tom Leipold if past costs could be obtained and then he would draw up a resolution.

Judy reported that there is a Regional Water and Sewer Meeting to be held on Thursday, November 18 @ 7 p.m. @ the Danville Elks that the supervisors need to attend.

Gary indicated that the bushes need to be cut at the top side of Kindt Road & 642. He is unsure of the owner but will get the information to Tom Leipold and Tom will draft a note to the homeowner.

Motion by Judy, 2nd by Gary to donate \$50 to the Danville Halloween Parade and motion passed unanimously.

Approval of Bills:

Motion to pay the bills made by Judy, 2nd by Gary and motion passed unanimously.

Adjournment:

Motion by Judy to adjourn @ 7:50, 2nd by Gary and motion passed unanimously.

Respectfully submitted,

Judy Achy
Valley Township Supervisor/Secretary