

**East Pikeland Township
Board of Supervisors Meeting
January 5, 2015**

A public meeting of the Board of Supervisors of East Pikeland Township was held on Monday, January 5, 2015 at the Township Building, 1158 Rapps Dam Road, Kimberton. Present were Chairman Ron Graham, Vice Chairman Rusty Strauss, and Township Manager, Kim Moretti. Supervisor Ben Campbell was absent.

Mr. Graham called the meeting to order at 7:08 p.m. following the annual Reorganization Meeting.

Minutes

Mr. Strauss made a MOTION to approve the December 2, 2014 Board of Supervisors meeting minutes. Mr. Graham seconded the motion and the minutes were unanimously approved.

Department Reports

Township Manager – Kim Moretti highlighted 2014 finances and activities in her report. The General Fund will see an approximate \$400,000 net income in 2014 with all fund balances totaling more than \$9M. The township had a successful year in grant acquisition – including the \$123,000 and \$213,600 grants from Chester County and DCNR (respectively); a \$238,000 recycling equipment grant from DEP, a Vision Partnership Grant from Chester County and federal funds for bullet-proof vests for the Police Department. Several historic preservation projects were in the works in 2014 – including nomination of the Continental Powder Works to the National Register. That process will finish in February. Major projects in 2015 will include police contract negotiations, cable franchise agreement renewal, personnel policy update, the MS4 stormwater management program and revamping the fees for the yard waste recycling program.

Terry Brett complimented the township staff on the acquisition of grant funds. Mr. Graham responded that this is one reason why the township is able to lower taxes.

Public Works – Al Cushman’s report was posted for review. Mrs. Moretti drew attention to the recycled material report that Mr. Cushman included with his monthly report. The Public Works Department, in addition to yard waste, recycles scrap metal, motor oil and batteries with revenue received for these materials.

Doug Fitzsimons asked if the National Register nomination of the Continental Powder Works will impact the yard waste recycling program. Mrs. Moretti responded, that if needed, the recycling program could be moved elsewhere on the township property, per the DEP permit. Likewise, the National Register designation does not impact how the township can use the property.

Police Department – Chief Franciscus reported statistics for the month of December, 2014: police responded to 239 calls, 2 burglaries, 1 theft, 2 DUIs, 3 drug arrests, issued 29 traffic citations, and responded to 8 reportable accidents and 8 non-reportable accidents. There were 9 misdemeanor/felony arrests in December.

Planning Commission Update – John Schott reported that no new development plans have been submitted; however several projects are pending. The Planning Commission has reviewed several ordinances, including a wireless facilities update; historic preservation ordinance and the MU/C zoning district ordinance that should be ready for Board of Supervisors action in February. John explained that the Comprehensive Plan update included a section on implementation of projects. With this in mind the Planning Commission is planning to review the KR zoning and discuss how to fast track the process for subdivision/land development approval. When the Planning Commission finds that a plan is more compliant with township ordinance the review process will be fast-tracked. The Planning Commission also plans on working with business owners along the 724 corridor to form a business association as was done in Kimberton Village.

Open Space Committee Update – Stock Illoway reported that the committee discussed several projects this year – including 3 properties with potential for recreation – the Wagner property, Davis property and Piazza property. Smaller projects under consideration are the Scott property in Kimberton Village and the Shrawder property where an easement is needed to finish the French Creek Trail. The Bryn Coed easement purchase should be wrapping up soon where the township will see 101 acres deed restricted to 2 lots. PA Act 115 now allows for the municipality to use open space funds for development, design and maintenance of acquired open space. The OSC is proposing to hire a land planner to advise the township in how to utilize the 3 previously mentioned parcels that have potential for recreational use.

Old Business

Mr. Strauss made a MOTION to renew the **Memorandum of Understanding** between East Pikeland Township, Kimberton Country LTD, Kimberton Realty Partnership and Kimberton Village Business Association, for a two-year period. Mr. Graham seconded the motion and it passed unanimously.

Mr. Strauss made a MOTION to authorize township to take steps necessary to determine if an increase in the escrow fund is warranted for the **Kimberton Meadows Subdivision**, and if so, to notify the developer. Mr. Graham seconded the motion.

Mike Dimmerling asked if an analysis of the escrow had been completed by the township engineer. Ed Latshaw responded that he had provided that analysis to the special solicitor.

There being no further questions, the motion passed unanimously.

Mr. Strauss made a MOTION to authorize Township Manager to work with special counsel to determine if the developer of the **Kimberton Meadows Subdivision** has defaulted on the amendment to approval of the subdivision plans, and if so, to send any required default notification to the developer, as may be required. Mr. Graham seconded the motion.

HOA rep Debbie Schneider questioned the wording of the motion. She informed the Board that the HOA attorney was told that a declaration of default would be approved by the Board. She does not feel that the motion made here says that. Mr. Graham responded that the language for the motion came directly from special counsel and basically authorizes counsel to issue the default declaration. The notice will be served to Benson within the next few days. They then have a 60-day cure period.

Mike Dimmerling further questioned if the default is only on the amended plan or the entire development agreement. Mr. Graham said that the amended plan and development agreement are one in the same on this issue.

There being no further discussion, the motion passed unanimously.

New Business

Mr. Graham made a MOTION to enact **ORDINANCE No. 163**, authorizing the continued participation of East Pikeland Township in the PSATS Unemployment Compensation Group Trust. Mr. Strauss seconded the motion and it passed unanimously.

Mr. Graham made a MOTION to authorize the Township Manager to advertise for a public hearing to consider a **zoning amendment for the Mixed-Use and Commercial zoning districts**. Mr. Strauss seconded the motion and it passed unanimously.

Kingway Art Gallery Discussion – represented by engineer Dan Popplewell and owner Jesse Hulse. A sketch plan was presented depicting a proposed building on a 9,800 square foot lot on Kimberton Road in the Village. The Zoning Hearing Board has granted several variances, which are listed on the plan. Ed Latshaw had reviewed the plan based on the owner's request for a waiver from land development, which he feels is a viable request, however there are some issues that need to be addressed. Dan Popplewell feels that the issues can be addressed at the building permit stage. John Schott commented that he does not want to set a precedent by short cutting the land development process, but does feel this project is a good candidate for a fast-track review as previously discussed. The Planning Commission would want to make sure the impact on the adjacent residential property is addressed and that the plan complies with the Kimberton Village proposed project. John feels this fast track would take 2 months with the Planning Commission.

After further discussion, Mr. Graham concluded that a waiver from land development cannot be granted, but the process will be expedited. The owner was given direction to present the plan to the Planning Commission for their comments while the two engineers work out site plan details. Concurrently the owner should work with the Historical Commission for approval of architectural design, proposed materials and design details. A building permit application could also be submitted for processing at the same time.

Public Comment

None

Announcements

Chief Franciscus announced that former Police Chief Kirby Bloomquist passed away in December. Kirby was a 27 year veteran of the police department. East Pikeland Township officer participated in the Honor Guard at his service.

There being no further business, the meeting was adjourned at 7:50 pm.

Submitted by,
Kimberly Moretti, Township Manager