

**East Pikeland Township
Board of Supervisors Meeting
March 1, 2016**

A public meeting of the Board of Supervisors of East Pikeland Township was held on Tuesday, March 1, 2016 at the Township Building, 1158 Rapps Dam Road, Kimberton. Present were Chairman Ron Graham, Vice Chairman Rusty Strauss, Supervisor Ben Campbell, Solicitor Bill Lincke and Township Manager Kim Moretti.

Mr. Graham called the meeting to order at 7:05 p.m.

Minutes

Mr. Strauss made a MOTION to approve the February 2, 2016 Board of Supervisors meeting minutes. Mr. Campbell seconded the motion and the minutes were unanimously approved.

Correspondence

Township has received a request from French & Pickering Creeks Conservation Trust to sponsor the annual French Creek Iron Tour bike event. Mr. Campbell made a MOTION to support the event with a \$250 sponsorship. Mr. Strauss seconded the motion and it passed unanimously.

Department Reports

Township Manager – Mrs. Moretti reported that during the month of February she completed and submitted the annual Certified Local Government report for the Historical Commission, a grant application to PECO Green Region for an interpretive signage project, and is working on a second grant application due in mid-March. The Park & Recreation Board is sponsoring the annual Easter Egg Hunt at Kimberton Park on March 19. Saturday, March 5 is the French Creek Trail clean-up from 9-12. Volunteers are welcome. The township held settlement for the last property needed along the French Creek to complete the trail to Township Line Road. A Boy Scout will now be blazing that portion of the trail. Lastly, she spent a week in February working with the appointed auditors who are preparing the annual financial report for the township.

Doug Fitzsimons explained that he has been working on a project to create authentic reproduction signs for Kimberton Village. Jon Gayl asked if the township could include the cost to finish these signs in a grant application.

Public Works – Posted.

Police Department – Chief Franciscus provided February statistics: Officers responded to 197 calls, including 1 burglary, 1 theft, 1 criminal mischief, 10 felony/misdemeanor arrests, 1 drug arrest and 1 DUI. There were 42 traffic citations issued and police responded to 12 accidents. The officers visited the Henry Company and took a tour of their facilities.

Planning Commission Report – John Colarusso reported that the Planning Commission is working on the Kimberton zoning project, has reviewed plans for a townhouse community on the border of

Spring City Borough, and reviewed and commented on an application to the Zoning Hearing Board for a wireless facilities application.

Historical Commission Report – Kim Moretti reported on behalf of Jim Garrison. The Historical Commission is working with the Planning Commission on design guidelines for Kimberton Village; is updating their procedures manual to comply with the new historic preservation ordinance; is working with Chester County Historic Preservation on a July 14 Trolley Tour where the Continental Powder Works and Kimberton Village will be featured as tour stops. Lastly, the annual Historic Walking Tour will be along Pickering Road and feature mid-century architecture.

Environmental Advisory Council – Bill LaPorte provided a report on activities of the EAC. There will be two recycling events in coming months – May 7th a Shred Event at CAT Pickering campus and June 18th an electronic recycling event at Phoenixville High School. Bill explained that due to the PA Covered Device Recycling Act trash haulers are no longer allowed to accept electronic items. Both events are multi-municipal sponsorship with Phoenixville Borough, Schuylkill Township and Charlestown Township. The EAC has discussed other projects for involvement, including the MS4 program, writing articles for the “In Community” magazine and applying for a recycling grant in the fall.

Old Business

Mr. Campbell made a MOTION to add **Royal Bank** to the approved list of financial establishments used by East Pikeland Township. Mr. Strauss seconded the motion and it was unanimously approved.

Resident Barry Hallman asked why this action was taken. Mr. Campbell responded that the township has accounts with several banks in an effort to diversify funds.

Mr. Campbell made a MOTION to authorize special counsel to notify Kimberton Meadows Development LLC, as required under the Settlement Agreement, of their failure to timely complete all the improvements in the development. After the time period to cure the deficiencies has run, if improvements at the development are not completed, counsel is authorized to file appropriate documents with the Court and the Township is authorized to exercise any and all remedies available to it, including but not limited to securing escrowed funds in order to complete the improvements. Mr. Strauss seconded the motion and it was unanimously approved.

Mike Dimmerling, Kimberton Meadows HOA representative asked what this motion meant in terms of timeframe for completion. Mr. Graham responded that based upon the settlement agreement, Benson will have a 30 day cure period once they have received notice from township’s counsel. If no action is taken by Benson then special counsel is authorized, by this motion, to take the next step – which is holding Benson in default of the Court Order.

Justin Fortesque commented that he would like to see the township being more pro-active on this matter rather than relying on the HOA to take the lead. Mr. Graham responded that the Board is relying on counsel to keep the process moving and he feels this has been productive.

New Business

Mr. Campbell made a MOTION to approve **RESOLUTION 2016-07**, authorizing submission of a grant application to the PECO Green Region program for the interpretive signage project in Kimberton Village. Mr. Strauss seconded the motion and it was unanimously approved.

Mr. Graham made a MOTION to authorize submission of a **Keystone Historic Preservation Grant** for interpretive signage project in Kimberton Village. Mr. Strauss seconded the motion and it passed unanimously.

Mr. Graham made a MOTION to authorize advertisement for an **ordinance to restrict truck traffic** on Rapps Dam Road. Motion was seconded by Mr. Strauss and passed unanimously.

Mr. Strauss made a MOTION to approve **RESOLUTION 2016-08**, authorizing submission of a Traffic Signal Application to PennDOT to adjust timing of the traffic signal at Route 724 and Hares Hill Road during the detour period for construction of the new intersection at Routes 724 and 23. Mr. Graham seconded the motion and it passed unanimously.

Subdivision/Land Development

Mr. Strauss made a MOTION, seconded by Mr. Campbell, to approve the following waivers from the 2001 Subdivision Land Development Ordinance for the **Cutler Subdivision**:

- a. §304.C.2 to waive requirement of a Site Context Map.
- b. §304.C.4 to waive requirement of Preliminary Resource Impact and Conservation Plan.
- c. §304.C.5.b(9) and §421.C to allow buildings to be located within 50' of a utility right-of-way line due to the building envelope being established in the stipulation agreement.
- d. §305.C.2.a(3) to waive requirement to include individual lot street addresses on the plans.
- e. §306.B.7.c to allow basins and bmp's to be located within 50' of an existing or proposed structure.
- f. §306.B.7.g(9) to allow all basins to be provided with flat bottoms to promote water quality through crop uptake.
- g. §306.B.7.g(12)(b) to allow basin and BMP grading within 5 feet of a property line.
- h. §306.D.4.b. to waive requirement of a Utilities Impact Plan.
- i. §306.D.4.c. to waive requirement of Fiscal Impact Study.
- j. §306.D.4.f. to waive requirement of Environmental Impact Study.
- k. §306.D.3 and §306.D.4.e to waive requirement of Historic Resources Impact Study.
- l. §403.B.3 to allow iron pins to be utilized to set property corners in lieu of concrete markers.
- m. §412.A.3 to allow for road underdrain to be provided at locations identified by the township engineer based on field inspections during roadway construction instead of along the entire length of all roads.
- n. §414.C.1 to allow driveway accessing the private street in the age restricted lot area to exceed 5% grade beginning at the curb line.

- o. §414.C.4 and §407.D to waive required sight distance, but allow for adequate sight distance on certain streets and driveways, as determined by analysis to be provided by developer, and reviewed and approved by township traffic engineer.
- p. §424.E.6.d(1) to allow for limited sections of the paved trail to exceed 8% grade due to existing and proposed topographic conditions.

Matt Chripto of Sherwood Lane asked why the township would approve so many waivers. Mr. Graham responded that this project reflects years of litigation and a settlement stipulation sets many of the details for the project. Mr. Lincke added that the township engineer has thoroughly reviewed the plan. Mrs. Moretti added that the developer has included stormwater facilities in the project that will provide relief to the properties along Sherwood Lane that currently have runoff from the property to be developed.

There being no further questions, the motion passed unanimously.

Mr. Graham made a MOTION to approve **RESOLUTION 2016-09**, granting Final Plan approval to the Cutler Subdivision. Motion was seconded by Mr. Campbell and passed unanimously.

Public Comment

Dennis Ray explained to the Board that there is an old barn on his neighbor's property that is not on the historic resource list and he urged the Board to add it as a historic resource before a developer buys and demolishes it. Dennis would like to purchase the barn and preserve it. Mrs. Moretti explained that there is a process spelled out in the zoning ordinance for adding to the historic resource list and that the zoning officer was working with the Historical Commission on this.

Mike Dimmerling of Kimberton Meadows asked if the township conducts any mosquito patrol. Mr. Graham responded that we do not; it would fall under the Chester County Health Department.

Barry Hallman of Kimberton Meadows asked if the park originally proposed as part of the Cutler Subdivision is still under consideration. Mr. Graham said it was not.

David Saneck, resident of Phoenixville Borough, asked for clarification on how Cutler acquired the PennDOT right-of-way that will serve as a road for the subdivision. Mr. Lincke explained that Cutler has not acquired the right-of-way. All right-of-way will be vacated to the township subject to an agreement between PennDOT, East Pikeland Township and Cutler. Cutler will serve as contractor to build the road which will then be turned over to the township to own and maintain. Mr. Graham explained to Mr. Saneck that the "Phoenixville Spur" is history and while he understands that Mr. Saneck may not agree with the outcome, the township is satisfied.

There being no further business, the meeting was adjourned at 7:55 pm.

Submitted by,
Kimberly Moretti, Township Manager