

**East Pikeland Township
Board of Supervisors Meeting
August 2, 2016**

A public meeting of the Board of Supervisors of East Pikeland Township was held on Tuesday, August 2, 2016 at the Township Building, 1158 Rapps Dam Road, Kimberton. Present were Chairman Ron Graham, Vice Chairman Rusty Strauss, Supervisor Ben Campbell and Township Manager Kim Moretti. Special Counsel Andrew Bellwoar was also present.

Mr. Graham called the meeting to order at 7:00 p.m.

Fire Police

Chairman Graham swore in new Fire Police Officers Ron Stevens and Brian Neiman.

Minutes

Mr. Campbell made a MOTION to approve the July 5, 2016 Board of Supervisors meeting minutes. Mr. Strauss seconded the motion and the minutes were approved.

Department Reports

Township Manager – Mrs. Moretti reported that July tasks included the amphitheater project for Kimberton Park; preparation for the historic walking tour on August 18; inspections and authorization of repairs to traffic signals; and attending a FEMA workshop and PECO municipal forum. She reported that the Route 23 bridge over French Creek would be closed for repair from August 5 to 15. Mowere Road will close August 15 through October. The township fund balance is at \$10.5M.

Public Works – Posted.

Police Department – Sgt. Wilson provided July statistics: Officers responded to 201 calls, including 6 thefts, 4 felonies and 12 accidents. They issued 29 citations in July. The new police vehicle is being outfitted and will be on the road this month. The Kimberton Fair was held the previous week, with no big incidents involving the Police Department.

Phoenixville Regional Planning Committee – Rusty Strauss provided an update on PRPC activities. 1) Implementation Agreement has been finalized and distributed. The thresholds for projects that require regional review have been modified. 2) Regional Comprehensive Plan update – application for a County Vision Partnership Planning grant will be submitted in August. The PRPC hopes to make the Comp Plan update an interactive process with public input.

Old Business

Mr. Campbell made a MOTION to grant a waiver from Section 306.B.7.e(1) of the Subdivision Land Development Ordinance for the Cutler Subdivision to allow design of the storm sewer using the 50-year design storm peak rate for a portion of the storm sewer system along Township Line Road due to the existing constraints at the intersection with Mowere Road. Mr. Strauss seconded the motion and it passed unanimously.

Mr. Campbell made a MOTION to approve the final Escrow Release for the Shick Subdivision in the amount of \$8,032.00. Mr. Strauss seconded the motion and it passed unanimously.

Kimberton Meadows Status Update

Special Counsel Andrew Bellwoar was present to update the Board and the Kimberton Meadows homeowners on the status of outstanding items in the subdivision. A Petition was filed with the court to enforce the Settlement Agreement. Instead of addressing the outstanding issues, Benson's attorney countered with a Motion for Preliminary Objections. Judge Cody is taking the situation under consideration. She asked for the parties to meet to work out the differences. The attorneys have met to discuss the work to be completed and the status of the escrow funds.

The biggest issue Benson must resolve is obtaining a Notice of Termination (NOT) of the NPDES permit with DEP. In the meantime, DEP has advised the township not to do any work at the site while they assess enforcement action. Mike Hickey asked if there was a time limit in which DEP will move forward with enforcement action. Mr. Bellwoar responded that DEP is part of the roadblock to this moving forward, however a Benson representative was supposed to meet with DEP to get a complete list of outstanding issues to be addressed and then Benson will make a decision about whether they will complete the outstanding items or if the township will do it with remaining escrow. The HOA representatives wanted to know how much time would be given for DEP to decide if they would take any action before the township completes the improvements. Mr. Graham stated that the township does not control DEP and the township also does not care if DEP issues a Notice of Termination, however the stormwater basins that are not functioning properly are in common space and the responsibility of the HOA – so there is a possibility that DEP would look to the HOA to resolve the basin issues in order to issue a NOT.

Justin Fortesque asked if the township had received any of the escrow funds based on the default action taken in April. Mr. Bellwoar responded that the bank has not released the funds but he is continuing to put pressure on them. He further explained that there are 3 ways to get the escrow funds: 1) Prevail upon the bank to release the funds 2) Enter into an agreement between Benson and East Pikeland or 3) Get a Court order for the funds to be released and work to be completed. Mr. Graham stated that the township is prepared to move forward with improvements, even before the escrow is released. The township is waiting to see if DEP acts first.

New Business

Mr. Strauss made a MOTION to approve **RESOLUTION 2016-16**, approving a Certificate of Appropriateness for 2200 Kimberton Road for an exterior paint project, as recommended by the HARB. Mr. Campbell seconded the motion and it passed unanimously.

Mr. Strauss made a MOTION to enact **ORDINANCE No. 176**, regulating the planting, controlling and removal of bamboo. Mr. Campbell seconded the motion and it passed unanimously.

Presentation

Spring City Road Bridge Replacement Project – Matt Goudy and Stephanie Hahn from McCormick Taylor were present to explain that the County Bridge No. 205 on Spring City Road is deteriorating and in need of replacement. The existing bridge was built in 1958 and is currently posted with a 16-ton weight limit. They are in the preliminary design phase for a new bridge and construction will begin in mid-2018 and last about 12-14 months. The bridge, which is currently 22' wide will be expanded to 26' wide with 2 foot shoulders on each side. During the design phase it was determined that with slight adjustment the road can be made safer and site distance can be improved around the curves. Signage will also be added to the road to warn of curves ahead. They presented a preliminary detour route that they will discuss further with the township prior to the 2018 road closure.

Ed Cooley expressed concern if the curves are smoothed that it will encourage speeding. Matt Goudy explained that the goal is to improve site distance and safety. Speeding is an enforcement issue that would need to be addressed by the township. Ed also expressed concern about truck traffic on Wall Street during construction.

Mr. Strauss asked if bike lanes could be added on the bridge since it will be widened. Matt Goudy responded that he will investigate, but if this is not a designated "bike route" it would be unlikely.

Altair Ecovillage Presentation – Adam Supplee of KMS Design Group is the land planner designing the project. He presented a PowerPoint presentation that explained the "ecovillage" concept, design and amenities – including it being very compact, pedestrian oriented, with a common house to support the entire community. There will be shared gardens, common space surrounding residences and parking on the perimeter of the site. Amenities will include walking trails, sidewalks, open space, reduced impervious coverage and sustainable, environmentally-friendly features, such as solar arrays, high efficiency heating, and use of durable and recyclable materials. There are zoning issues to be resolved, such as the fact that the project property is in two different zoning districts; they want to provide smaller lots than the zoning currently allows; they want multiple uses on one lot and they are proposing a density (5.6 DU/acre) that is higher than the current zoning allows. Adam explained that the "developers" of this project are the investors, or future homeowners. This is a grassroots project.

Tom Carnevale, architect for the project, spoke about how the unique, progressive ecovillage community will fit in well with Kimberton Village. He stated that the architecture has not yet been designed, but will blend with existing village structures. They know that they must seek input from the HARB during the land development process.

Mr. Graham asked how many homes were proposed. Answer: 35 plus a common house, equivalent to 5.6 DU per acre.

Mr. Strauss commented that he likes the sustainable nature of the project; especially how it will blend into Kimberton Village. He would like to see the Ecovillage concept presented as a use in the zoning ordinance with specific provisions that would be linked to the use to differentiate it from a multi-family dwelling use.

Helena VanVliet commented that the site layout should be related to the topography of the site. Adam Supplee responded that a sketch plan has been prepared showing natural features, including

topography. She also asked about the density proposed. Adam responded that they need a certain density to support the Ecovillage concept and keep the units affordable.

Bob Friebel asked if stormwater run-off from the site will be addressed. Adam Supplee responded that they plan to manage stormwater onsite.

John Pittock, an EcoVillage supporter, explained that the focus of this project is about community. It will provide more affordable housing and numerous amenities. It can set a standard for future development.

The Supervisors commented that this is a good concept, is very progressive, is consistent with Kimberton Village and will help support the businesses in Kimberton Village. Mr. Graham added that the proposed charrette process is a good idea to gain public support for the project.

Ed Latshaw commented that the key to moving this concept forward is to craft a zoning amendment that separates the “EcoVillage” use from the existing multi-family housing standards. Planner Bob Smiley informed them that he is working on ordinance language to be presented to the Planning Commission.

Public Comment

Ginger Katzenmoyer, owner of Harpoon Louie’s was present to discuss the future of her property on Schuylkill Road. She feels that without public sewer the property is undevelopable. She has had several developers express interest in the property but they are turned off by the zoning regulations, timeframe for land development project approval, or that there is no accessible sewer without incurring high costs to extend sewer. She feels the township should provide public sewer on Schuylkill Road if they expect properties to be developed.

Mr. Strauss responded that the township has been working well with potential developers on the 724 corridor and that the township passed a LERTA Ordinance that would give tax benefits for redevelopment projects. Mr. Graham informed her that there is a process to be followed for land development and an applicant takes their chances that a plan will get approved. If her property has zoning issues she, or a developer, would have to make application with the Zoning Hearing Board. John Colarusso commented that a sketch plan for this property was presented to the Planning Commission and they offered comments and provided direction on how the developer should proceed. The issues with public sewer extension were not discussed at the Planning Commission meeting.

Bob Friebel asked the Board to consider installing traffic calming measures on Mill Lane after it is paved this summer. Mr. Graham responded that many residents want speed bumps on their street and the township is not interested in installing speed bumps due to the impact on snow plowing and maintenance. He further explained that to place a speed bump on one road would encourage other residents to ask for them; so it will not be done.

There being no further business, the meeting was adjourned at 9:00 pm.

Submitted by,
Kimberly Moretti, Township Manager