

**East Pikeland Township
Board of Supervisors Meeting**

June 3, 2014

A public meeting of the Board of Supervisors of East Pikeland Township was held on Wednesday, June 3, 2014 at the Township Building, 1158 Rapps Dam Road, Kimberton. Present were Vice Chairman Rusty Strauss, Supervisor Ben Campbell and Township Manager Kim Moretti. Chairman Ron Graham was absent.

Mr. Strauss called the meeting to order at 7pm.

Special Presentation

Al Cushman introduced Amanda Monachelli and her “Clean Up Crew” and explained that since 2008 Amanda with her friends and family has conducted a clean-up of litter along Spring City Road. This year they collected 235 lbs. of trash on a 1.5 mile stretch of road. The township presented an “Adopt a Road” sign that will be installed on Spring City Road recognizing “Amanda’s Clean-up Crew”. Amanda then thanked the Public Works Crew and township staff for their assistance. She would like to see the program grow and get the community more involved.

Minutes

Mr. Campbell made a MOTION to approve the May 6, 2014 Board of Supervisors meeting minutes. Mr. Strauss seconded the motion and it passed unanimously.

Department Reports

Township Manager’s Report – Mrs. Moretti reported that, according to PennDOT, the Rapps Dam Bridge will be closed for repairs until the end of 2014 and that the Hares Hill Bridge will be closed for repairs to the wingwalls next spring for approximately 4 months. The French Creek Trail pedestrian bridge project is in construction phase. She reported that subdivision and land development activity has increased. The annual Historic Walking tour with a theme of “Bridging History in East Pikeland Township” will take place on June 19th.

Police Department – Chief Franciscus provided a report of May 2014 statistics: 219 police responses, 10 thefts, 1 drug arrest, 2 DUIs, 4 felony/misdemeanors, 107 traffic citations were issued and 4 reportable accidents. Officers participated in physical agility testing and shooting qualifications. The driver of the truck that destroyed the Rapps Dam Bridge was arraigned on felony charges with the local District Justice.

Public Works Report – Al Cushman reported that the crew is busy with roadside mowing, pothole repair, storm clean-up, street sweeping, crack sealing and PA One Call responses. They have delivered 70 loads of mulch/compost so far this year. The basketball court at Kimberton Park was resurfaced in May. The department participated in safety training programs.

Old Business

Mr. Campbell made a MOTION to ratify **RESOLUTION 2014-05**, approving a modified stormwater management plan for Kimberton Meadows Subdivision, dated 3/25/14, as prepared by Bursich Associates. Mr. Strauss seconded the motion and it passed unanimously.

Mr. Campbell made a MOTION to grant the request for **Escrow Release No. 9 for Coldstream Crossing**, Phase 2, in the amount of \$218,159.60, as recommended by the township engineer. Mr. Strauss seconded the motion. Ron Gosdeck, a new member of the Coldstream Crossing HOA Board, commented that the HOA does not want to see escrow released for sidewalks because the construction is not acceptable. Ed Latshaw explained that this current release is for recently installed sidewalks and there is \$90,000 in the contingency fund that should be sufficient to cover the cost of repairs. Ed recently met with the builders to mark questionable improvements. Some sidewalk areas need to be replaced. The builder has not agreed to make all the improvements requested, but the township will continue to hold them responsible. The HOA should also make their position known to the builder. There being no further questions, the motion was put to vote and passed unanimously.

Mr. Campbell made a MOTION to grant 90-day timeclock extension for the Gappa Subdivision, Preliminary Plan Application, until September 5, 2014. Mr. Strauss seconded the motion and it passed unanimously.

Mr. Campbell made a MOTION to grant 180-day timeclock extension for Kaiserman/Condign Land Development Application until December 12, 2014. Mr. Strauss seconded the motion and it passed unanimously.

New Business

Mr. Strauss made a MOTION to approve proposed **road repair projects for 2014**. Mr. Campbell seconded the motion. Mrs. Moretti read the list of roads to be repaired, including: Township Line Road between Route 23 and Mowere Road; West Seven Stars Road from Mill Lane to Hares Hill Road; Spring City Road between Township Line Road and the intersection with Wall Street; parts of Kimbel Drive; and West Seven Stars Road at the "S" Bend will be chip sealed for safety purposes. There being no further discussion, the motion was approved unanimously.

Mr. Strauss made a MOTION to approve the **Declaration of Covenants, Conditions and Restrictions** for Chester County Landscapes 21st Century Fund Grant program for the following township parcels: 26-2-100; 26-2M-41.51; 26-2-153; 26-3-90.1A; 26-2M-41.52; 26-2-59; 26-2-94; 26-4-65 and 26-3-103. Mr. Campbell seconded the motion and it passed unanimously. Mr. Strauss explained that these open space parcels are being permanently preserved through Chester County's open space program. This is being done in conjunction with a grant the township received for the French Creek Trail.

Mr. Strauss made a MOTION to authorize execution of **Municipal Recycling Program Grant Agreement** with PA DEP. Mr. Campbell seconded the motion and it passed unanimously.

Mr. Strauss made a MOTION to approve **RESOLUTION 2014-04**, granting a Certificate of Appropriateness for commercial renovation of 2234 Kimberton Road. Mr. Campbell seconded the motion and it passed unanimously. A resident asked where this property is located and what was being proposed. Mrs. Moretti responded that the property is on Kimberton Road next to Crown Trophy and is being renovated as a bookstore.

Mr. Strauss made a MOTION to authorize Township Fire Police to assist Limerick Township at their annual fireworks display on July 4, 2014. Mr. Campbell seconded the motion and it passed unanimously.

Mr. Strauss made a MOTION to authorize advertisement of a proposed zoning overlay for the KR Zoning District. Mr. Campbell seconded the motion. Mr. Strauss explained that the township is working on a public/private partnership in Kimberton Village for development of a village plaza with traffic calming aspects, pedestrian improvements and retail space. The project has been discussed at the Planning Commission and the recommendation was to create a zoning overlay district. There being no further discussion, the motion passed unanimously.

Discussion Items

Walt Connell – 18-22 Prizer Road property. Mr. Connell explained that he would like to construct a pavilion and open a farmer's market on his property in Kimberton Village. He is requesting a waiver from land development and was directed by the Planning Commission to speak with the Board of Supervisors. Mr. Strauss responded that the Planning Commission directed the EAC to review the proposal since the property was a former foundry. Leo Kaercher from the EAC presented a report summarizing the Phase 1 and Phase 2 environmental reviews conducted on the property. The findings were that heavy metals (zinc, lead and copper) are on the surface of the property and are above the statewide standard. The engineer who conducted the Phase 2 study recommended further testing. Disturbing the site may cause heavy metal contamination to leave the site. The EAC recommended that the owner conduct further environmental studies to determine the extent of the contaminants. John Schott of the Planning Commission commented that the Planning Commission was in favor of the concept, but because they were aware of environmental issues, they feel they should be resolved before approving any activity on the site.

Solicitor Lincke commented that since the zoning code allows the use there is no land development issue for the Board to consider and no action required from the Board, however the owner does need to obtain a zoning permit. If the owner were to pursue land development it would require addressing the environmental issue.

Gappa Subdivision – request for release of landscape escrow funds. Michelle Lampkin, executrix for the Gappa estate, informed the Board that when she subdivided the Gappa property she was required to post \$5,720 in escrow for landscaping. Soon after the subdivision the property was sold to Longview Development. She knows when they develop the property that they will be required to provide a landscaping/buffering plan. She is currently trying to resolve her mother's estate and clear the debt. She requested that the township return the escrow funds to her to help with the debt since the landscaping will not be done by her. Solicitor Lincke responded that the escrow agreement states that if the developer fails to plant the trees, the township can do so. Mrs. Lampkin is correct that Longview will have the responsibility to plant when they develop the property, but that does not relieve Mrs. Lampkin of her responsibility. The township is under no obligation to return the funds.

Public Comment

Michelle Lampkin commented that the Longview property at Rapps Dam Road and 23 has high grass and has water accumulating in the containment well around the old oil tank. Mrs. Moretti responded that the zoning officer will look into this complaint. Mrs. Lampkin also commented that she would like to see the township require Longview to construct a permanent structure between her property and the Longview property as a buffer from their proposed apartment building development.

Walt Connell commented that the pedestrian cross walks in Kimberthon Village need to be repainted.

There being no further business, the meeting adjourned at 7:50 p.m.

Submitted by,

Kim Moretti
Township Manager