

**East Pikeland Township  
Board of Supervisors Meeting  
July 7, 2015**

A public meeting of the Board of Supervisors of East Pikeland Township was held on Tuesday, July 7, 2015 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.

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

**Minutes**

Mr. Strauss made a MOTION to approve the June 2, 2015 meeting minutes. Mr. Campbell seconded the motion and the minutes were unanimously approved.

**Department Reports**

Township Manager – Kim Moretti reported that during June she worked with the Planning Commission to hire a new traffic engineer (Traffic Planning & Design) and is now working with them on traffic signal specifications for two land development projects. She met with a representative of the Chester Co. Dept. of Emergency Services to discuss the township Emergency Operations Center and the position of Emergency Management Coordinator. She met with the Planning Commission sidewalk committee to discuss applying for a Multi-Modal grant to obtain funding to install sidewalks in gap areas along the 724 corridor. Lastly, she is working closely with the solicitor on documents needed for open space projects.

Public Works – Al Cushman's report was posted for review.

Police Department – Sergeant Wilson reported statistics for the month of June 2015: police responded to 234 calls, 1 drug arrest, 2 thefts, 5 misdemeanor/felony arrests, issued 42 traffic citations, and responded to 21 accidents.

John Trisch asked if there are still a lot of arrests at French Creek Outfitters. Sgt. Wilson responded that Chief Franciscus had provided them a form letter to be distributed to anyone purchasing a weapon that explains the penalty for failing to answer the gun permit application correctly.

Planning Commission Report – Chairman John Colarusso reported that the Planning Commission has several projects under review. The Kingsway Gallery plan was reviewed and recommended for approval by the Board of Supervisors. Longview's 400 Westside project should come before the Board for action by September. That plan proposes 171 apartments and 2 commercial buildings of 15,000 and 6,000 square feet. Ed Latshaw is working to coordinate the improvements on Rapps Dam Road between the Longview project and the three-lot Gappa Subdivision. The Kimberton Whole Foods plans is under review. Planning Commission members worked with staff on selection of a new traffic engineer. The sidewalk committee met with Kim Moretti to discuss a plan of action. The next project on the Planning Commission agenda is the Kimberton Retail district study. Public participation will be very important with this project.

Mike Dimmerling asked for an update on the Longview property on Hares Hill Road. John Colarusso responded that there had been some discussion with Longview, but no plan submission.

### **Old Business**

Mr. Campbell made a MOTION to approve the revised **Phoenixville Regional Planning Committee Implementation Agreement**. Mr. Strauss seconded the motion and it passed unanimously.

Mr. Campbell made a MOTION to approve a release from the **Kimberton Meadows Subdivision Escrow Fund**, contingency line, in the amount of \$15,787.35, per the settlement agreement dated April 27, 2015. Mr. Strauss seconded the motion and it passed unanimously.

Mr. Campbell made a MOTION to approve **Escrow Release No. 24 for the Kimberton Meadows Subdivision**, in the amount of \$113,098, as recommended by the township engineer. Mr. Strauss seconded the motion and it passed unanimously.

Mike Dimmerling asked what the timetable is for landscaping since a lot of shrubs and trees are missing and the landscaper has pulled out of the site. He said the settlement agreement calls for all landscaping to be complete by June 30 and he feels Benson is now in violation of the agreement. Ed Latshaw responded that Ed Theurkauf's landscape review was attached to the settlement agreement and Benson is to comply with that letter. Debbie Schneider commented that one specific homeowner had asked that no additional landscaping be done on her property, yet trees that she had planted were removed and replaced with a different species. Debbie feels it is nonsensical to remove healthy trees or to plant trees on top of silt fence, as has been witnessed by residents. Kelsey Stanton was present, representing Theurkauf Planning & Design. Ed Theurkauf is on vacation, but she will discuss these questions and concerns with him when he returns.

Ron Graham commented that there appears to be progress at the site and the township is not prepared to find Benson in default while they are still actively working. Kim Moretti responded that the township attorney is planning to send a letter to Benson addressing the timetable violations. Mr. Bellwoar will be directed to copy the HOA attorney on the letter to keep them informed.

Mike Dimmerling commented that the homeowners would like better communication by the township and from Benson, particularly when road work or driveway work will interfere with residents' ability to drive through development. Ed Latshaw said he will speak with Benson's foreman about communicating with residents.

Mr. Campbell made a MOTION to approve **Escrow Release No. 1 for Lot 2 of the Shick Subdivision**, in the amount of \$34,430, as recommended by the township engineer. Mr. Strauss seconded the motion and it passed unanimously.

Mr. Campbell made a MOTION to approve **Escrow Release** No. 1 for Lot 3 of the **Shick Subdivision**, in the amount of \$7,050, as recommended by the township engineer. Mr. Strauss seconded the motion and it passed unanimously.

Mr. Campbell made a MOTION to approve a **timeclock extension for Kingsway Gallery** Land Development Application until October 11, 2015. Mr. Strauss seconded the motion and it passed unanimously.

Mr. Campbell made a MOTION to approve a **timeclock extension for 400 Westside** Land Development until October 11, 2015. Mr. Strauss seconded the motion and it passed unanimously.

Mr. Campbell made a MOTION to direct the Township Manager to process a **lease agreement with the Kimberton Fair** Committee to use a portion of the Kimberton Park property for their event from July 20 through July 25, 2015.

### New Business

Mr. Strauss made a MOTION to award a **Snow Removal Contract** to Tamaro Landscape and Design. Mr. Campbell seconded the motion and it passed unanimously.

Mike Dimmerling of Kimberton Meadows asked that if the roads in their development are dedicated by winter, will they be plowed by the township. Mr. Graham responded affirmatively.

Mr. Strauss made a MOTION to award a **Chip Seal Street Paving project contract** to low bidder Asphalt Industries, Inc. Mr. Campbell seconded the motion and it passed unanimously.

Mr. Strauss made a MOTION appoint Susette Wilson as the **Emergency Management Coordinator**, effective immediately. Mr. Campbell seconded the motion and it passed unanimously. Mr. Graham commended Susette for taking on this volunteer position that will require a fair amount of work and planning.

Mr. Strauss made a MOTION to adopt **RESOLUTION 2015-08**, authorizing the submission of a **Traffic Signal Permit** to PennDOT for the intersection of Rapps Dam Road and Route 23. Mr. Campbell seconded the motion which passed unanimously. Mrs. Moretti explained that the Longview project will require intersection improvements, including traffic signal modifications.

Mr. Strauss made a MOTION to adopt **RESOLUTION 2015-09**, authorizing a **Certificate of Appropriateness for 1298 Hares Hill Road**. Mr. Campbell seconded the motion and it passed unanimously.

### Subdivision/Land Development

#### Kingsway Art Gallery

Mr. Strauss made a MOTION to grant the following waivers from the Subdivision Land Development Ordinance:

- a. Section 301.B to combine Preliminary and Final plan submissions
- b. Section 304.C.3 to prepare an Existing Resources Site plan within 100' feet as opposed to the required 500' of the site.
- c. Section 304.C.4 to allow the Existing Resources Site Analysis Plan as a substitute for the Site Context Map.

Mr. Campbell seconded the motion and it passed unanimously.

Mr. Strauss made a MOTION to grant a waiver of Section 308.H.2 of the Township Code, Chapter 22, Stormwater Management, to reduce the required setback between a building and a stormwater facility. Mr. Campbell seconded the motion and it passed unanimously.

Mr. Strauss made a MOTION to grant a waiver of the Township Code, Chapter 12, from assessment of a Traffic Impact Fee. Mr. Campbell seconded the motion and it passed unanimously.

John Schott commented that this is the first waiver from the Traffic Impact Fee that the township has granted since the fee was instituted ten years ago. Rusty Strauss said the reason is because this is a very small property and the township is trying to encourage improvements in Kimberton Village. This particular fee could discourage this type of development. Ron Graham added that the Traffic Impact Fee often gets turned back to developers for intersection improvement projects anyway.

Mr. Strauss made MOTION to approve **RESOLUTION 2015-10** granting final approval for Kingsway Gallery Land Development. Mr. Campbell seconded the motion and it passed unanimously.

### **Public Comment**

Jon Gayl said that the Planning Commission had talked about revisiting the conservation fee for the MU district. He feels the fee does not encourage development because it is too high. Rusty Strauss said the matter can be reviewed by the Planning Commission.

John Trisch of Sherwood Lane asked about the status of the Cutler Subdivision. He was informed that the project is under engineering review.

### **Announcements**

The Kimberton Arts Alliance will present the Shakespeare in the Park production of "The Tempest" on Thursday, July 9<sup>th</sup>. Tickets are \$10 each.

There being no further business, the meeting was adjourned at 7:45pm.

Submitted by,  
*Kimberly Moretti, Township Manager*