

**BIRMINGHAM TOWNSHIP
BOARD OF SUPERVISORS MINUTES
JANUARY 18, 2010**

MERCEDES-BENZ CONDITIONAL USE HEARING

A hearing to consider a façade change to the Mercedes-Benz dealership at 1265 Wilmington Pike was held at 6:45 PM. The hearing was transcribed by Court Reporter Colleen Pimer. After the testimony was presented the Supervisors unanimously voted to deny the request for a façade modification.

REGULAR MEETING

The regular meeting of the Board of Supervisors was called to order at 7:30 PM in the Township Building by Chairman Conklin with a moment of silence and the pledge of allegiance. A quorum of Supervisors was declared. The following Township Officials were in attendance:

John Conklin	-	Chairman, Board of Supervisors
William Kirkpatrick	-	Vice-Chairman, Board of Supervisors
Al Bush	-	Member, Board of Supervisors
Thomas Nelling	-	Police Chief
Richard Jensen	-	Building Inspector & Zoning Officer
Lloyd Roach	-	EMC & Historic Commission Chairman
Jacquie Roach	-	Secretary for the PC and HC
Kristin Camp	-	Township Solicitor

Chairman Conklin moved to approve the January 4, 2010 minutes from the organizational meeting as written. Mr. Bush seconded the motion and it was carried.

Mr. Kirkpatrick moved to approve the bills submitted for payment. General Fund bills totaled \$40,632.62. Sewer Fund bills totaled \$51,132.59. Mr. Bush seconded the motion and it was carried.

ARDEN FORGE PRELIMINARY LAND DEVELOPMENT PLAN

At its meeting on December 8, 2009, the Planning Commission unanimously recommended approval of the preliminary land development plan for the Arden Forge Property located at 301 Brinton's Bridge Road. The Plan, dated May 20, 2009, last revised November 24, 2009, drawn by Stantec Consulting, Inc. shows the demolition of an existing building addition and

the construction of a new building addition with parking, grading, stormwater management and landscaping improvements. Both buildings on the property will be used for office space. The Plan was reviewed by the Supervisors at the December 21, 2009 meeting. The Supervisors had asked Solicitor Camp to prepare a written resolution for discussion tonight which addresses all the issues raised on the application from the Supervisors; the Planning Commission; the Township Engineer; and legal counsel, Mike Shiring, who represents the adjoining neighbor, John Abramson.

The following items were discussed at tonight's meeting:

1. Hours of operation
2. Tenants
3. Historic Impact Study
4. Review by the Historic Commission
5. Lighting
6. No parking except from the tenants
7. Dedication of land or fee in lieu of for recreational purposes
8. Stormwater Management

Chairman Conklin moved to adopt Resolution #100118A for the approval of the Preliminary Plan for the Arden Forge as prepared by Solicitor Camp with the addition of conditions on lighting and no outside parking and to waive the requirements of Section 103-26.C.(1) of the SLDO which requires land to be dedicated to meet public park and recreation needs and to waive Section 122-36.8.A which requires the submission of a Historic Resource Impact Study. Mr. Kirkpatrick seconded the motion and it was carried.

1175 BIRMINGHAM ROAD/BORER/HARB

Ed and Amy Borer, 1175 Birmingham Road, had attended the December 15, 2009 HARB meeting to discuss erecting a seven foot deer fence around the perimeter of their property. HARB reviewed the application and deferred to the Supervisors as deer fence was not addressed in the HARB guidelines. The application was discussed at the December 21, 2009 Township meeting and the Board had unanimously voted to deny the application. Solicitor Camp had opined that a written resolution is necessary for the denial of a Certificate of Appropriateness. Mrs. Camp prepared the resolution for action by the Board tonight. Chairman Conklin moved to adopt Resolution #100118B to deny the Certificate of Appropriateness for the Borers for the erection of a deer fence on their property located at 1175 Birmingham Road. Mr. Kirkpatrick seconded the motion and it was carried.

POLICE REPORT

Chief Nelling reported for the month of December 2009. There were 1208 incidents, with three open. There were 6,844 patrol miles logged on the vehicles during the month. Chief Nelling announced the resignation of part-time Police Officer Justin Fonock effective January 3, 2010.

HISTORIC COMMISSION

At the recommendation of the Historic Commission, the Supervisors interviewed Matt Bedwell for the vacancy on the Commission. Chairman Conklin moved to appoint Matt Bedwell, Birmingham Road, to the Historic Commission for a term ending in 2011. Mr. Bush seconded the motion and it was carried.

PUBLIC COMMENT

Marion Fay, Hessian Circle, complained to the Board about the snow from the December storm being piled on her property. She has a stormwater run-off problem on her property which has been reviewed by the Township in the past and the snow exacerbates the problem. She would prefer that the snow be placed on the property at 803 Hessian Circle as has been done in the past.

Marion Fay and Nancy Emms, Hessian Circle, asked about clean-up activities for trash along roads in the Township, specifically Creek Road. They were referred to the Radley Run Homeowners' Association which owns the property where the trash is dumped as well as PennDOT District 6 for road clean-up.

The meeting was adjourned at 8:15 PM. (JLC)

Respectfully submitted,

Quina Nelling
Secretary/Treasurer