

**KINGSTON TOWNSHIP ZONING COMMISSION
MEETING MINUTES**

APPROVED: September 19, 2007

DATE: August 15, 2007
LOCATION: Kingston Township Hall
TIME CALLED TO ORDER: 7:03PM

MEMBERS PRESENT:	(CHECK ONE)		
BURRELL	YES	X	NO
AKERS	YES	X	NO
GROVE	YES	X	NO
COPE	YES	X	NO
HARSANY	YES		NO X
DEAVERS	YES	X	NO
TALBOTT	YES		NO X
STITES	YES	X	NO

PUBLIC PRESENT: Two Plus Weiler Company Representatives—See Sign-In Sheet

PUBLIC INPUT/COMMENT: None

APPROVAL OF MINUTES:

Member Akers made a motion to accept the Meeting Minutes dated July 18, 2007. The motion was seconded by Member Cope and was unanimously approved.

ZONING REPORT:

A number of handouts were discussed including recent changes in Zoning Commission and Board of Zoning Appeal Member contact information *attached as Item 1 and Item 2*. Notes from the August 3, 2007 Infrastructure Study Kick-Off Meeting were provided and *attached as Item 3*. Members were provided a copy of a training announcement from Delaware County Prosecutor Yost *attached as Item 4*. Secretary Stites pointed out highlights from the July Zoning Report prepared for the Trustees *attached as Item 5*, and provided a magazine article concerning Coyotes *attached as Item 6*.

OLD BUSINESS:

The Commission was informed that the Trustees had not acted upon the vacant Zoning Commission seat currently held by Jeanna Burrell due to lack of a quorum at their August 6, 2007 meeting. Only Ms. Burrell's application had been received prior to the meeting. Chairman Shively advised that the matter would be discussed at their September Meeting to be held on Wednesday, September 5, 2007 due to the Labor Day Holiday on Monday.

NEW BUSINESS:

The Commission moved into an Administrative Review Session of the NorthStar Final Plan facilitated by Secretary Stites.

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Introductions were made with Secretary Stites introducing Zoning Commission/Trustee participants, and Robert Weiler introducing his company representatives and family in attendance. All participants who intended to testify during the hearing were sworn-in by Court Recorder Cathell.

The following ground rules were established by the facilitator to help in focus review comments:

- **Participants were asked to keep comments professional and not personal.**
- **Participation was limited to Commission Members, John Fink, Trustee, who was selected by the Trustees to attend and representatives of the Robert Weiler Company. The public present were informed that they would be given a chance to comment upon the closure of the review session.**
- **Participants were advised that no vote or decision would be made during the session, and that the session was to hear and discuss facts and issues related to the final plan in an attempt to resolved them**
- **Participants were reminded that the focus of the session would be to discuss differences between the approved preliminary plan and the final plan along with written commitments for the Robert Weiler Company.**
- **Participants were asked to keep discussions focused upon the known outstanding issues and not on things that occurred in the past, and advised that the facilitator would redirect if discussion strayed from the primary focus.**
- **Participants were advised that Kathy Cathell, Court Recorder, was present to document the discussions. Upon completion of the transcript (expected within 10 business days), each participant would be provided a copy for review. Final, written input to the Zoning Inspector from each Zoning Commission Member and Trustee would then be requested within twenty (20) days.**

After a brief introduction by Robert Weiler, the presentation was turned over to NorthStar Project Engineer Jeff Strung, EMH&T who focused on the six outstanding plan issues including:

1. **Two Entrance Signs.**
2. **Water Tower--location in relation to the Township Hall/Park 25 acre parcel, access roadway control and reduction of Farm Preserve acreage committed to the Township by water tower placement.**
3. **Setbacks and Landscaping Plan.**
4. **25 Acre Township Hall/Park Transfer.**
5. **Transfer Of Remaining Land—how much and when.**
6. **300.2 Acre Commitment To The Township—191.6 Farmland Preservation, 83.6 Passive Park and 25 Township Hall/Park.**

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Upon completion of the presentation, participants then discussed each issue individually and in detail. Key points are noted below listed by issue:

- **Regarding the proposed entrance signs, discussion focused upon Article 21 of the Zoning Resolution as to whether the sign is covered or not by the code.**
- **Regarding the water tower location, Consultant Strung pointed out that the tower will become property of Delco Water and serve regional water system needs. Their hydraulic studies indicated the proposed location as the optimum.**
- **Regarding the setbacks and landscaping plan, Secretary Stites pointed out that both were the same as approved on the preliminary plan with only one correction made at the request of Poggemeyer Design Group acting as the Township's agent. He also pointed out that the signed agreement by Robert Weiler (states that the Zoning Commission and Trustees would have final approval of the setbacks and landscape plan during final plan review) and the guidelines for the Administrative Review (looking at only changes from the Approved Preliminary Plan) set up an inherent conflict.**
- **Regarding the 25 acre Township Hall/Park parcel, it was agreed that the deed would be exchanged for the Final Plan Approval from the Township.**
- **Regarding how much and when the remaining property committed to the Township would be transferred; Weiler Attorney Tangeman felt that she could draft a construction flexible document for subsequent signature and recording to establish a legally binding commitment.**
- **Regarding the 300.2 acres previously committed to the Township by the Robert Weiler Company, Consultant Strung and Attorney Tangeman stated that they believe the acreage approved by the Township and labeled as Exhibit B (as referenced in the agreement signed by Robert Weiler) of the Preliminary Plan is consistent with what is being shown on the Final Plan with the exception of the Water Tower site and open space adjustments made at the request of the Township's agent. Township participants countered that the Final Plan acreage is short of the 300.2 acre total committed in the same agreement signed by Robert Weiler and testimony given during public hearings. Depending on how the figures are calculated, a discrepancy exists from between 15 and 25 acres.**

Considerable testimony took place concerning each topic. The account above is general in nature and persons wanting specific details should consult the transcript *marked and attached as Item 7.*

The Administrative Review session was closed and the floor was opened for public comment. After limited public comment, Chair Person Burrell recessed the meeting for five minutes. After the break, it was determined that the next meeting would be to resume efforts necessary to finalize the Comprehensive Plan for the Township.

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FOLLOW UP ITEMS:

Pull together applicable Comprehensive Plan files for discussion at the September Zoning Commission meeting.

ADJOURNMENT:

MOTION:

Member Cope made a motion to adjourn the meeting. Member Grove seconded the motion and the motion was unanimously approved.

TIME: 8:40PM

SUMBITTED BY: Dave Stites, Zoning Secretary

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