

Minutes of Meeting
West Pikeland Township Open Space Advisory Subcommittee
August 25, 2008

A special meeting of the West Pikeland Township Open Space Advisory Subcommittee (the "Subcommittee") was convened on August 25, 2008, at the Township Building at 1645 Art School Road in Chester Springs, Pa. The meeting was jointly held with the West Pikeland Land Trust Board of Directors and scheduled to coincide with the Land Trust's regular meeting.

CALL TO ORDER

The meeting was called to order at 7:00 p.m. by Jim Rowan, president of the West Pikeland Township Land Trust (WPLT). All Subcommittee Members, including alternate member Catherine Renzi, were present, along with the following WPLT directors: Jim Rowan, Ann Orth, Sean O'Neill, Teresa Wood, Suzanne Kaplan, Tom Williams, Curt Grogan, and Melinda Mercurio). No members of the general public were in attendance.

DISCUSSION WITH FRENCH & PICKERING CREEKS CONSERVATION TRUST (Note: Discussion of Specific Properties is set forth in Executive Session notes)

Jim Rowan stated the purpose of this joint meeting was to discuss the work of the WPLT and its Open Space Advisory Subcommittee and that of the French and Pickering Creeks Conservation Trust (FPCT) in West Pikeland Township. Jim welcomed representatives from FPCT. Present from FPCT were Claire Quinn, Executive Director, and Pamela Brown, Conservation Director.

Curt Grogan, Subcommittee Chairman opened the discussion. He would like to explore whether there are any properties in the Township that FPCT is presently working on and to discuss process in instances of joint activity of FPCT and WPLT.

Pam Brown stated that they are engaged in preliminary discussions with certain landowners in the Township but have no active easement transactions pending at this time in the Township.

Curt Grogan stated that the approach of the WPLT (and Subcommittee) is outlined in an explanatory letter that has been prepared by the Subcommittee. The choice of which land trust would serve as the easement holder (NLT, WPLT, NALT, Brandywine, FPCT, etc.) is left to the landowner.

Sean O'Neill questioned Pam and Claire on their process and interaction with West Vincent Land Trust and West Vincent's Open Space Committee in that township. Claire stated that in West Vincent, the ultimate decision as to who holds the easement is made by the Township. She stated that the West Vincent Land Trust does not hold many easements and that it will often direct landowners to FPCT. In some instances they co-hold easements with the West Vincent Land Trust. She stated that Township Board of Supervisors determines which properties to target for easements. They exclusively use their bond funds to purchase transferrable development rights (tdrs) as opposed to purchasing conservation easements.

Claire and Pam stated that they felt regional land trusts are better to serve as easement holders since they have "institutional memory" that local land trusts may lack. Ann Orth stated that she feels local land trusts have an advantage of being able to concentrate their efforts locally.

There was a general discussion among those present as to the approach and means for communications by the respective land trusts and landowners in West Pikeland Township.

Teresa Wood suggested that Jack Stefferud of NLT, as the open space consultant to WPLT, could serve as a liaison for information flow between the WPLT's Subcommittee and those regional land trusts present in the Township.

Claire Quinn asked about the status of West Pikeland's Open Space Bond program. Jim Rowan provided a summary of the steps remaining in West Pikeland's program to implement the open space earned income tax and bond financing. The last major step to complete is the Township's adoption of the open space priorities maps which is anticipated to occur on September 15, 2008. The 45 day period for comment by adjacent townships and School District has ended. Claire recommended Mike Wolf of Boenning & Scattergood for the bond work. Jim Rowan stated that the selection of the bond underwriter has not been finalized but that Mike Wolf had been under consideration.

Ann Orth asked Claire and Pam whether they required restrictions of any kind when they purchase tracts in West Vincent Township. They stated that they do not impose restrictions of any kind. Rather they simply purchase the development rights and leave all other rights of use unrestricted, so that there are not restrictions on woodlands timbering or other resource protection requirements. The Township supervisors policy is to leave the landowners with all rights other than the purchased development rights.

Claire Quinn discussed FPCT's concerns regarding the former Ostrander parcel in West Pikeland Township (now known as Pickering Grove park). FPCT believes that a conservation easement, with specific restrictions, should be placed on the property. She stated that FPCT monitors the property with an endowment, but she and Pam do not believe there is an easement in place on the property. Curt Grogan asked what is missing in the Ostrander situation. Claire Quinn stated that there is a County deed restriction and FPCT has enforcement rights. She stated that she feels a conservation easement should be added.

There was a discussion about identifying the eased and restricted open space lands in West Vincent Township. Ted Gacomis pointed out that some is merely owned by the Township without restrictions, and some is open space owned by the Township within an approved development. Some such open space is located in the Bridlewood development where he resides. He believes there is similar Township owned open space in Fairfields. He believes there are restrictions on this open space, since the existing easement and/or restrictions placed on the property precluded its consideration for use for sewage treatment in the Township.

Tom Williams stated that we have had trouble getting open space information about existing restrictions on the Township-owned land. Sean O'Neill suggests that, as to Township owned open space, we should start by getting a list of each tax parcel owned. From that, we can search the County recorder of deeds office records to determine what restrictions are recorded on these parcels. We can do this or have a title company do it, if the Township files are incomplete.

Pam Brown stated that she will supply the WPLT and Subcommittee with its form of conservation easement. They use the PALTA mode of easement. She also provided Curt Grogan with a package of FPCT's literature and informational material. She stated that she has done grant writing for municipalities and is willing to do that on FPCT transactions in West Pikeland Township.

The WPLT and Subcommittee members thanked Claire and Pam for their attendance and insights and Jim Rowan asked that they keep him abreast of their work in the Township.

APPROVAL OF MINUTES

Curt Grogan called for approval of the minutes of the meeting of July 14, 2008. Teresa Wood noted certain typographical errors. Subject to these corrections, on motion by Jim Rowan, seconded by Teresa Wood, the minutes of the meeting of July 14, 2008 were unanimously approved.

In reviewing the July 14 minutes Curt noted the draft easement comparison chart produced by Ann Orth and asked about its status. Ann Orth will be refining the draft for distribution and Subcommittee comment and input. Curt asked about the discussion of historic resources and the incorporation of historic resource information into the mapping and screening process. Sean O'Neill stated that the existing Township inventory is in the Comp Plan and Open Space Plan. Roberta Rometsch stated that the Historic Commission is working on updating the list of resources at this time.

EXECUTIVE SESSION

See addendum for notes concerning specific properties discussed by FPCT and WPLT, and in the following internal Subcommittee Executive Session.

ADJOURNMENT

There being no further business, on motion by Teresa Wood, seconded by Bob Haskell, the Subcommittee unanimously resolved to adjourn the meeting at 9:05 pm.

Respectfully Submitted,
Sean O'Neill
Sean O'Neill, Secretary

ADDENDUM: See Executive Session Notes Addendum