

**BOARD OF SUPERVISORS
MEETING MINUTES
July 2, 2018**

A Regular Meeting of the New Britain Township Board of Supervisors was held on Monday, July 2, 2018, at the Township Administration Building, 207 Park Avenue, New Britain Township, PA, beginning at 7:00 p.m. Present were Supervisors: Chair A. James Scanzillo, Vice Chair Helen B. Haun, Members William B. Jones, III, Gregory T. Hood and Cynthia M. Jones. Also present were Township Manager Eileen M. Bradley, Township Solicitor Peter Nelson, Esq., and Township Engineer Janene Marchand, P.E.

1. **Call to Order:** Mr. Scanzillo called the Meeting to order.
2. **Pledge of Allegiance:** Mr. Scanzillo led the Board and audience in the Pledge of Allegiance.
3. **Announcements:** Mr. Scanzillo announced that the Board had met in Executive Session prior to this Meeting to discuss personnel issues, land acquisition, and litigation.
 - 3.1. **Swearing in of Patrol Officer Alex Komatick:** Mr. Scanzillo swore in Alex Komatick as a New Britain Township Probationary Police Officer.
 - 3.2. **Years of Service Awards:** Mr. Scanzillo presented a Thirty Year Service Award to New Britain Township employee Robert Skelton.
4. **Public Comment on Non-Agenda Items:** There was no Public Comment at this time.
5. **Approval of Minutes:**
 - 5.1. **Minutes of Meeting of June 18, 2018:**

MOTION: A motion was made by Mrs. Haun, seconded by Mr. Jones and unanimously approved to accept the June 18, 2018 Minutes as written.
6. **Departmental Reports:** There were no Departmental Reports at this time
7. **Consideration of Old Business:**
 - 7.1. **PUBLIC HEARING: Butler Corridor Overlay District Zoning Amendment Adoption:** Mr. Scanzillo called the Public Hearing to order at 7:10 p.m. A stenographic record was taken for the Public Hearing portion of the meeting. Mr. Nelson informed the Board that the goal of the ordinance was to create design uniformity along the Butler Avenue Business Corridor as properties along the corridor are redeveloped to create a specific look along W. Butler Avenue. He stated that the amendment had been reviewed by the New Britain Township Planning Commission on two occasions and that the PC had recommended adoption by the Board.

Mr. Scanzillo asked for Public Comment. Mr. John VanLuvanee, Esq. of Eastburn & Gray, P.C. stated that he preferred a loosening of some of the requirements to grant more flexibility. Some of the requirements created an overlap between Zoning and Subdivision and Land Development.

Mr. Robert Showalter, P.E. of Showalter & Associates stated that he was concerned that property owners doing smaller projects might not be able to meet the requirements of the amendment and asked if waivers would be considered.

150194

Mr. Nelson stated that the amendment did provide the Board flexibility to grant waivers giving the Board discretion over the flexibility of the Corridor Overlay. He also stated that property owners conducting smaller improvements would only be required to comply with components of the overlay directly connected to the proposed improvement.

MOTION: There being no further discussion or comment, a motion was made by Mr. Jones, seconded by Mrs. Jones and carried unanimously, to close the Public Hearing at 7:25 p.m.

MOTION: Upon motion by Mr. Hood, seconded by Mr. Jones, the Board unanimously approved Ordinance #2018-07-02, Butler Corridor Overlay District Zoning Amendment.

8. Consideration of New Business:

8.1. CONDITIONAL USE HEARING: Provco Pineville/Wawa Conditional Use Hearing and Land Development Plan: Mr. Scanzillo called the Conditional Use Hearing to order at 7:40 p.m. Appearing for the Applicant was Mr. John VanLuvanee, Esq. of Eastburn & Gray, P.C.; Mr. Joseph Botta of Provco/Pineville Acquisitions, LLC; Mr. Jason Korczak, P.E. of Bohler Engineering; and Mr. Matthew Hammond, P.E. of Traffic Planning and Design, Inc. A stenographic record was taken for the Conditional Use Hearing portion of the meeting.

Mr. Nelson provided background on the property and a description of the proceedings that were about to take place. He asked if any member of the public wished to request party status. Mr. Daryl Presti of Bonnie's Flowers on W. Butler Avenue requested and was granted party status.

Mr. VanLuvanee submitted the Applicant's exhibits A1 through A23 for the record. Mr. Nelson submitted the Township's exhibits B1 through B5 for the record.

Mr. VanLuvanee stated that on January 22, 2018, the Applicant had received a variance for a proposed J31 Use from the Zoning Hearing Board, which was not timely appealed. Mr. VanLuvanee called the following witnesses who were sworn in: Mr. Botta, Mr. Korczak, and Mr. Hammond.

Mr. Botta reviewed the proposed plan for the property, agreements that were in place with adjacent property owners, and items the Township had highlighted as a concern.

Mrs. Jones asked where fuel trucks would sit while idling during refueling of gas pumps. Mr. Botta stated that the tanks and refilling would be on the southwest corner of the property, but that Wawa did not permit any vehicles to idle in their parking lot.

Mrs. Haun asked if the Applicant had approached property owners along W. Butler Avenue to include their properties in this project. Mr. Botta stated that they have had dialogue with all adjacent property owners, but no significant progress had been made to date.

Mrs. Jones asked how far adjacent residential properties were from the proposed convenience store. Mr. Korczak stated that the distance was approximately 375 feet.

Mr. Hood asked if Wawa would comply with trash pickup and delivery requirements requested by the Township. Mr. Botta stated that Wawa policy was all deliveries of store goods would be restricted to either 6:00 a.m. or 11:00 p.m. Fuel deliveries were scheduled by the individual store manager on an as-needed basis.

Mr. Korczak reviewed the engineering aspects of the project, including signage, environmental issues, road widths, etc.

Mrs. Haun asked if the applicant would be willing to put a permanent conservation easement on the remaining wetlands on the property. Mr. Korczak stated that they were currently encroaching on only 0.04% of the wetlands on the property (maximum DEP allowance was 0.1%). The Applicant was not opposed to a conservation easement, but did not want to restrict the flexibility of the property to be developed or subdivided internally in the future.

Mr. Hood asked what type of traffic calming would be put in place to discourage cut-through traffic. Mr. Korczak stated that the property would have one internal stop sign. Cars would need to cut through a parking area, making the route highly inconvenient as a cut-through.

Ms. Bradley asked the width of the County Line Road driveway. Mr. Korczak stated the driveway would be approximately 24 feet wide and would handle both entering and exiting traffic.

Mr. Scanzillo called for a five-minute recess before Mr. VanLuvanee called his final witness.

Mr. Hammond reviewed the impact the proposed site would have on local traffic and the proposed features that would help to alleviate those impacts.

Mr. Scanzillo asked what type of signal would be installed at the proposed driveway on Butler Avenue across from the Giant Shopping Center Entrance. Mr. Hammond stated that the proposed signal was an adaptive system that would adjust to traffic flow.

Mr. Daryl Presti of Bonnie's Flowers on W. Butler Avenue asked how far traffic would back up on Butler Avenue in the westbound lane due to the new traffic signal, and if there were any plans to restrict eastbound traffic from making a left into his business with dividers or a similar type of feature. Mr. Hammond stated that the traffic during peak travel hours could back up approximately 400 feet, but that the Traffic Impact Study indicated the queue should empty during one cycle of the traffic signal. He stated that there were no plans to create a divided highway with barriers.

There was no further public comment at this time.

Mr. Scanzillo called for a motion to close the Conditional Use Hearing.

MOTION: There being no further discussion or comment, a motion was made by Mr. Jones, seconded by Mrs. Jones and carried unanimously, to close the Conditional Use Hearing at 10:05 p.m.

Mr. Nelson stated that he would provide a draft Adjudication for the Conditional Use J31 and a draft resolution for land development for the Board to consider at their next meeting.

8.2. Eagono Subdivision: Appearing for the Applicant was Robert Showalter, P.E. of Showalter & Associates and Applicant Maxine Eagono. Mr. Showalter stated that the 5.2-acre lot, in the RR Zoning District, and was located on Elaines Lane. The subdivision proposed four new lots: three exiting onto New Galena Road and one on Elaines Lane. The lots would be served by public water and sewer, with the ability for neighboring residents to make future connections.

Mr. Showalter stated that the applicant would be making public improvements by extending the existing storm sewer and road widening on New Galena Road to match Farber Drive. He stated they would also be removing trees from a neighboring property to improve line of sight.

Mr. Showalter stated the only issue with the Fire Marshal's review letter was item number three, requiring a 16-foot turning radius with depressed curbing. He stated the plan called for 12-foot driveways with depressed curbing. Mr. Showalter stated that he could comply making the driveway opening 16 feet, but would narrow to 12 feet on the stem of the driveway.

Mrs. Jones asked if the Applicant would be adding a trail to New Galena Road as requested by the Planning Commission. Mr. Showalter stated that the Applicant was seeking a waiver from sidewalk improvements on Elaines Lane and Limekiln Pike. No work was intended to be conducted on either road and the Applicant would be adding an 8 foot-wide trail to the frontage on New Galena Road.

MOTION: A motion was made by Mrs. Jones, seconded by Mr. Jones and carried unanimously, to approve Resolution #2018-12, granting Preliminary/Final Approval for the Eagono Subdivision Plan, with a modification to item #3 on the Fire Marshal Letter to allow compliance with the first recommendation only; and a waiver to allow an eight-foot bituminous trail.

8.3. Omnibus Zoning Amendment: Ms. Bradley stated that the proposed Omnibus Zoning Amendment had been publicly advertised, and changes had been made based on recommendations from the Planning Commission and Board of Supervisors. She stated that the amendment corrected issues in the Township's Zoning Ordinance.

MOTION: A motion was made by Mr. Hood, seconded by Mrs. Haun and carried unanimously, to authorize the Omnibus Zoning Amendment for advertisement.

9. Consent Agenda:

MOTION: Upon motion by Mrs. Jones, seconded by Mrs. Haun, the Board unanimously approved the following Consent Agenda items: Execution of Professional Services Agreement for Mark and Joyce Spadaccino for a Minor Subdivision (Lot Line Change) that will not create any new lots at 98 and 82 Cheesefactory Road, TMP #26-011-041-004 and TMP #26-001-042, with corresponding legal and engineering escrow ; Execution of Temporary Construction Easement with Brian J. and Kim E. Cardamone for construction of part of the Neshaminy Greenway Trail at 255 Bristol Road, TMP#26-011-081.

10. Board of Supervisors' Comments: There were no Board of Supervisor's Comments at this time.

11. Township Administration Comments:

11.1. 2018-2019 Consortium Fuel Contract Award: Ms. Bradley announced this item would be tabled until next meeting.

11.2. Tri-Municipal July Fourth Parade: Ms. Bradley announced that preparations for the Tri-Municipal Parade on Wednesday, July 4, 2018, were complete and that the parade would begin at 9:30 am.

11.3. Cancellation of July 16 Meeting: Ms. Bradley asked that the Board consider cancellation of the Board of Supervisor's Meeting on July 16 for lack of business.

MOTION: A motion was made by Mrs. Haun, seconded by Mr. Hood and carried unanimously, to cancel the Board of Supervisor's Meeting scheduled for July 16.

12. Solicitor and Engineer Comments: There were no Solicitor or Engineer Comments at this time.

13. Other Business: There was no Other Business at this time.

14. Public Comment: There was no Public Comment at this time.

15. Payment of Bills: There was no Bills List at this time.

16. Adjournment:

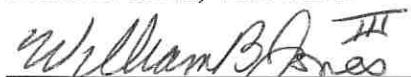
MOTION: There being no further business or comment, a motion was made by Mrs. Jones, seconded by Mr. Hood, and unanimously carried, to adjourn the meeting at 10:15 p.m.

150194

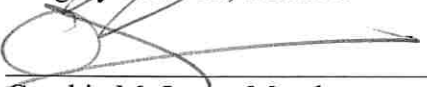
NEW BRITAIN TOWNSHIP BOARD OF SUPERVISORS



A. James Scanzillo, Chair


Helen B. Haun, Vice Chair


William B. Jones, III, Member


Gregory T. Hood, Member


Cynthia M. Jones, Member

Attest: 
Eileen M. Bradley
Secretary/Manager