

**BOARD OF SUPERVISORS
MEETING MINUTES
July 3, 2017**

A Regular Meeting of the New Britain Township Board of Supervisors was held on Monday, May 1, 2017, 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 John A. Bodden, Sr., Members Helen B. Haun, Gregory T. Hood and William B. Jones, III. Also present were Township Manager Eileen M. Bradley, Township Solicitor Peter Nelson, Esq. and Township Engineer Janene Marchand.

- 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 and land acquisition.
- 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 19, 2017:

MOTION: A motion was made by Mr. Hood, seconded by Mrs. Haun and unanimously approved to accept the June 19, 2017 Minutes as written.

- 6. Departmental Reports:** There were no Departmental Reports at this time.
- 7. Consideration of Old Business:**

7.1. Metro Storage Land Development Plan: Appearing for the Applicant, Metro Storage was Mr. John A. VanLuvanee, Esq. of Eastburn & Gray, P.C. and Mr. Eric A. Britz, P.E. of Bohler Engineering PA, LLC. Mr. VanLuvanee stated that the 4.3-acre property was located at County Line Road and Maple Avenue. The Applicant proposed construction of a fully contained self-storage building. The main access would be on County Line Road across from Royal Farms, with a secondary access point on Maple Avenue.

Mr. VanLuvanee stated that the Applicant had applied for and received a Special Exception and variances from the Zoning Hearing Board (ZHB) at a hearing on December 15, 2016. He added that the Applicant would comply with the Gilmore and Associates Review Letter dated June 1, 2017, with a few clarifications. He stated that the Applicant had received relief from the ZHB from tree replacement, and therefore no fee-in-lieu should be charged. Mr. VanLuvanee stated that they had completed a traffic calming study on Maple Avenue, which warranted no calming measures. Mrs. Marchand stated that she would need time to verify the results of the Traffic Calming Study since it was only submitted this morning.

The Applicant requested waivers to allow the grade of the driveway to be 8% rather than a maximum 6%, and to allow the minimum radius curvature of five feet on all proposed curbing. Ms. Bradley asked if the Applicant had resolved the Township Fire Marshal's concerns with the driveway grade. Mr. Britz stated that after working with Mr. Teschner, they had resolved both the grade and turning radius issues to Mr. Teschner's satisfaction. He also stated that they would not need to add extra hydrants. Mr. VanLuvanee added that the

Applicant would repair a hole near the stormwater inlet adjacent to the work site. He then asked for clarification of what road improvements would be required.

Mrs. Haun stated that the Township would require full roadway improvements, or a fee-in-lieu of those improvements. Mr. VanLuvanee stated that he felt the fee-in-lieu could be worked out with Township staff. Mr. Nelson stated that a resolution would be prepared for the next meeting, and Ms. Bradley stated that staff would meet with the applicant to work out the particulars.

Ms. Bradley asked the applicant to give a review of the proposed landscaping. Mr. Britz stated that the Applicant had added as many trees as possible on the site. They had enhanced the buffering on the side of the property that backed up to the residential area. Mr. Britz added that they would meet the buffering requirements by adding an estimated 1,000 or so trees and shrubs to the property. Mr. Britz also stated that they had added a rain garden, meadow mix, and native shrubs to the basin area to help increase infiltration of water into the soil.

Mrs. Haun asked how the basin drained. Mr. Britz stated that the basin was designed to release the stormwater slowly over 72 hours. Mrs. Haun stated she was concerned about mosquitos. Mr. Fritz stated this would not be an issue with the improvements made.

Ms. Phyllis Brewer of Upper State Road wanted to know who was notified of the project. Mr. VanLuvanee stated that any residents living within 1,000 feet of the property were notified.

MOTION: Upon motion by Mr. Bodden, seconded by Mr. Jones, the Board unanimously moved to table the Metro Storage Development Plan approval to July 17.

8. Consideration of New Business:

8.1. Frost Subdivision Phase II Final Plan: Appearing for the Applicant, Metropolitan Development Group (MDG LLC), was Ms. Giovanna M. Raffaelli, Esq. and Mr. John Maczonis of MDG LLC. Ms. Raffaelli stated that the 21.94-acre property fronted Upper State Road and would be serviced by public sewer and water, with 13 acres of dedicated open space, would have public water and sewer and 13 acres of open space. The Applicant proposed twelve lots for single-family homes.

Ms. Raffaelli stated that the Applicant would comply with all requirements of the Fire Marshal review letter of March 29, 2017, the Bucks County Planning Commission review letter of March 29, 2017 and the Gilmore and Associates review letter of April 10, 2017. Ms. Raffaelli added that the sanitary sewer line would follow the existing right-of-way as outlined in the original plan agreed upon in a Court Stipulation Agreement dated May 5, 2006.

Ms. Raffaelli stated that the proposed street name would be Madigan Way. Mrs. Haun suggested that the road name should be changed, possibly to Pickertown Circle or Court. Ms. Bradley stated that any suggestion would need to be vetted through the post office and staff would need time to check numbering systems and duplications.

Ms. Bradley stated that the portion of Upper State Road that fronted the property was the responsibility of Warrington Township by agreement. Warrington had requested that the road surface condition be videotaped to document its pre-construction condition.

Mr. John Brewer of Upper State Road stated that he had issues with the location of the proposed sewer line. Mr. Scanzillo stated that approval of the sewer line location was the decision of the Chalfont-New Britain Joint Sewer Authority (CNBTJSA).

Mr. Wallace Stronski of Upper State Road stated that the Township was taking right-of-way from residents to run the sewer line. Mr. Nelson stated that the sewer line was only running through existing right-of-way and that the only new right-of-way proposed to be dedicated was the property being developed (Frost).

At this time, residents began looking at the plans for the sewer line and having side discussions with the developer. After approximately 5 to 10 minutes, Mr. Scanzillo asked residents to take their seats and requested that the developer arrange a meeting with individual residents to discuss their concerns.

Ms. Jessica Macker of Upper State Road stated that she had spoken to the developer and they had been very accommodating.

Mr. George Niblock of Upper State Road in Warrington Township asked how they received approval to begin work already. Ms. Bradley stated that the only work the developer was authorized to do was soil remediation under a permit issued by the PA Department of Environmental Protection (DEP). Mr. Maczonis added that the only work done so far was clearing of trees while waiting for their NPDES permit. Once they received their NPDES permit, remediation of the soil would commence under DEP guidelines.

Mr. Niblock asked with what was the soil contaminated. Ms. Bradley stated that the soil contained higher levels of arsenic than allowed by law, which is typical of properties that were once orchards, due to pesticides used. Mr. Bodden stated that new residents and developers sign a new homes disclosure that would indicate that there had been arsenic on the property.

Mr. Brewer asked if any other options were discussed for the sewer line. Ms. Bradley stated other options were explored but were not deemed viable and the initially approved plan was still the most viable. Mr. Brewer asked why the sewer line could not run into Warrington sewer authority. Mrs. Haun explained that the State sets the boundaries for sewer authorities and the property in question falls within the boundaries of the CNBTJSA.

Mr. Scanzillo stated that residents could direct their specific issues to the developer, who would meet with residents to address their concerns.

Mr. Nelson stated that he would have a Resolution drawn up for the Board to approve in two weeks.

MOTION: Upon motion by Mr. Hood, seconded by Mr. Bodden, the Board unanimously moved to table the Frost Subdivision Final Plan approval to July 17.

9. Consent Agenda: There were no Consent Agenda items at this time.

10. Board of Supervisors' Comments: Mrs. Haun stated that Bray Brothers has finished paving in Brittany Farms. She stated that many residents were happy with the new road surface.

11. Township Administration Comments:

11.1. 2017 Consortium Fuel Contract Award: Ms. Bradley stated that New Britain Township had participated in the Bucks County Consortiums 2017 Fuel Bid. Based on recommendation by Public Works Superintendent Wayne Fultz, Ms. Bradley recommended the Township award contracts to Shipley Fuels Marketing, LLC for Off Road Diesel Fuel and to Riggins Inc. for Heating Oil, Unleaded Regular, and Ultra-low Sulfur Diesel Fuel.

MOTION: A motion was made by Mr. Jones, seconded by Mrs. Haun and carried unanimously, to award the 2017 Consortium Fuel Contract to Shipley Fuels Marketing, LLC for Off Road Diesel Fuel at \$0.1750 per gallon; and to Riggins Inc. for Heating Oil, Unleaded Regular, and Ultra-low Sulfur Diesel Fuel at a cost of \$0.1425, \$0.1375, and \$0.1275 per gallon respectively.

11.2. Barclay Road Daytime Detour June 29 through August 31: Ms. Bradley informed the Board that Barclay Road would be closed during the day beginning June 29 through August 31 for construction.

11.3. Appraisals: Ms. Bradley requested authorization to order appraisals of two properties for the purpose of acquisition of conservation easements.

MOTION: A motion was made by Mr. Hood, seconded by Mr. Jones and carried unanimously, to approve the order of appraisals for two properties.

12. Solicitor and Engineer Comments: Mrs. Marchand informed the Board that the Township's NPDES MS4 Pollutant Reduction Plans and Permit application would be prepared for advertisement and discussion by the next meeting.

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:

15.1. Bills List dated June 30, 2017 for \$277,112.79:

MOTION: Upon motion by Mr. Hood, seconded by Mrs. Haun, the Board unanimously approved the Bills List dated June 30, 2017 for \$277,112.79.

16. Adjournment:

MOTION: There being no further business or comment, a motion was made by Mrs. Haun, seconded by Mr. Bodden, and unanimously carried, to adjourn the meeting at 8:20 p.m.

NEW BRITAIN TOWNSHIP BOARD OF SUPERVISORS

A. James Scanzillo, Chair

John A. Bodden, Sr., Vice Chair

Helen B. Haun, Member

Gregory T. Hood, Member

William B. Jones, III, Member

Attest: _____
Eileen M. Bradley
Secretary/Manager