

**BOARD OF SUPERVISORS  
MEETING MINUTES**

**August 4, 2014**

A Regular Meeting of the New Britain Township Board of Supervisors was held on Monday, August 4, 2014 at the Township Administration Building, 207 Park Avenue, New Britain Township, PA, beginning at 7:00 p.m. Present were Supervisors: Chair John A. Bodden, Sr., Vice Chair Robert V. Cotton, Members William B. Jones, III, A. James Scanzillo and Helen B. Haun. Also present were Township Manager Eileen M. Bradley, Township Engineer Janene Marchand and Township Solicitor Peter Nelson.

- 1. Call to Order:** Mr. Bodden called the Meeting to order.
- 2. Pledge of Allegiance:** Mr. Bodden led the Board and audience in the Pledge of Allegiance.
- 3. Announcements:** Mr. Bodden announced that the Board had met prior to this meeting in Executive Session to discuss land acquisition and personnel issues.
- 4. Public Comment on Non-Agenda Items:** There was no Public Comment at this time.
- 5. Approval of Minutes:**
  - 5.1. Minutes of July 7, 2014 Board of Supervisors' Regular Meeting:**

**MOTION: A motion was made by Mrs. Haun, seconded by Mr. Jones, and unanimously approved to accept the July 7, 2014 Minutes as written.**

- 6. Departmental Reports:**
  - 6.1. Code Department Report:** Ms. Bradley presented the Code Department Report for June 2014.
  - 6.2. Police Department Report:** Chief Robert Scafidi presented the Police Department Report for June 2014
  - 6.3. Public Works Department Report:** Ms. Bradley presented the Public Works Department Report for June 2014.

- 7. Consideration of Old Business:**
  - 7.1. Wordsworth/Pine Valley Crossing Associates, L.P.:** Mr. Robert Gundlach, attorney for Pine Valley Crossing Associates, L.P., presented a brief history of the proposed development. Since the Plan had been reviewed multiple times as part of hearings for the amendment to the Stipulated Agreement, Mr. Robert Gundlach asked the Board for Preliminary/Final Approval and was prepared to comply with the Gilmore and Associates review letter dated June 18, 2014.

Ms. Bradley stated that the Planning Commission recommended that buffer plantings be relocated between the roadway and the proposed fencing, with maintenance of the buffer and fence be placed on the Homeowners' Association.

Ms. Bradley noted that Pine Valley Crossing Associates proposed potential street names that Staff felt were not appropriate. She suggested that the road be named Mystic View Circle, to match Doylestown Township's road on the other side of Old Iron Hill Road, with house numbers to be coordinated. The Board agreed that the road should be name Mystic View Circle.

Ms. Bradley stated that the Applicant was requesting seven additional waivers above what was granted by the Stipulated Agreement, the majority of which are minor and technical in nature. The ordinance requires planting of 112 street trees, but the Applicant was requesting partial waiver because the Applicant can only plant 63 due to constraints on the property. The Applicant was also requesting a partial waiver of the perimeter buffer material around the emergency spillway, due to the need to keep the area open. The Township Engineer, Janene Marchand, stated that she was agreeable to the proposed layout of the trees. Mr. Bodden stated that the Applicant should then be required to “bank” the remaining 49 trees, to be planted either onsite or elsewhere at the discretion of the Township.

The Applicant was requesting a waiver to allow a depth-to-width ratio in excess of the 3:1 requirement for Lots 4 and 5. Lots 13, 20, 33, 34, and 35 had already been granted waivers for this same requirement. Township Staff was agreeable to the request.

The Applicant was requesting a waiver to allow storm sewer easements be located through properties consistent with those shown on the Stipulation Plan. Ms. Bradley stated that Staff had no problems with this request.

The Applicant was requesting a waiver to permit a flat basin bottom in lieu of the minimum 2% slope. Township Staff supported this request to promote infiltration of groundwater. Storm Sewer proposed within the ultimate right-of-way was required to be reinforced concrete pipe and the Applicant was requesting to use HDPE (plastic) pipe, which Township Staff supported this request.

The Applicant requested a partial waiver to allow for iron pins in lieu of concrete monuments along easements within rear yards. Ms. Bradley stated that she could agree to a partial waiver, at the discretion of the Township Engineer.

Mr. Bodden called for public comment. Mrs. Teresa Browngold of Ferry Road agreed with naming the street Mystic View Circle. She also stated she would like to see the shoulder width on Old Iron Hill Road reduced. Mrs. Haun stated that she would like to see the shoulder be at least five feet. Ms. Marchand stated that a revised plan would need to be submitted and reviewed for all roads. Applicant’s Engineer Chuck Frantz stated that there was a proposed four-foot shoulder with a 12-foot cartway.

Mr. Francis Walter of Sunnybrook Drive asked what upgrades would be done to the stormwater system on Old Iron Hill Road. Mr. Frantz stated that the existing eroded inlets would be reset and rotated for better efficiency. The swale along Old Iron Hill Road would be restored to collect flow along Old Iron Hill Road. In addition, the proposed detention basin had been expanded, allowing more water to be stored on site and released over time. The Basin was designed to also capture water flow off site from Ferry Road, which currently sheet flows onto the property. The basin would be able to handle an additional 12 acres of off-site flow. These upgrades would help reduce and improve current water problems and would reduce ponding.

Ms. Heather Bernhardt of Sunnybrook Drive stated she supported buffering on the outside of the fences or having no fences at all. She also asked if there would be mass pesticide spraying during construction. Mr. Gundlach stated that there would be no pesticides sprayed during construction. Mr. Jones added that once established, the Homeowners’ Association might spray pesticides in future.

**MOTION: A motion was made by Mrs. Haun, seconded by Mr. Scanzillo, and unanimously approved, to grant Preliminary/Final Subdivision and Land Development Approval to Wordsworth/Pine Valley Crossing Associates, L.P., conditioned upon compliance with the Gilmore & Associates review letter dated June 18, 2014, and granting all requested waivers with the following exceptions: that the Applicant continue to obtain easements from adjoining neighbors to undertake stormwater improvements as outlined in the June 18, 2014 Gilmore Review Letter; that the applicant create a tree bank of 49 trees; buffer plantings to be located**

**between the roadway and the decorative fencing; placement of concrete pins in lieu of monuments at the discretion of the Township Engineer.**

## **8. Consideration of New Business**

**8.1. Authorization for Advertisement: Proposed Zoning and Subdivision and Land Development Amendment, Amending Chapter 27, Zoning:** Ms. Bradley stated that a proposed ordinance would unify the definition of Woodlands and regulations for tree protection zones to ensure that the Zoning and SALDO language matched to avoid any future conflicts.

**MOTION: A motion was made by Mr. Jones, seconded by Mr. Scanzillo, and unanimously approved, to authorize advertisement for proposed Zoning and Subdivision and Land Development Amendment related to Woodlands.**

**8.2. Waiver Request: Spencer Nickel, 9 Clearview Avenue, TMP #26-009-028:** The Applicant had requested this agenda item be tabled to a future meeting.

**MOTION: A motion was made by Mrs. Haun, seconded by Mr. Scanzillo, and unanimously approved, to table the waiver request for 9 Clearview Avenue until a later meeting.**

## **9. Consent Agenda:**

**9.1. Wordsworth/Pine Valley Crossing Associates, L.P. Escrow Release #2:** Pine Valley Crossing Associates, L.P. was requesting \$80,614.15 be released, leaving \$14,242.85 remaining; for demolition only.

**9.2. Professional Services Agreement at 671 Upper Stump Road:** Infinity Building Group had signed a Professional Services Agreement to build a single-family home on TMP #26-004-018-001, a vacant lot at 671 Upper Stump Road, with corresponding legal and engineering escrow of \$5,000.00.

**9.3. Professional Services Agreement at 844 New Galena Road:** George Piecynski had signed a Professional Services Agreement in connection with a violation notice for TMP # 26-004-001, 844 New Galena Road, related to construction without permits or plan review, with a corresponding legal and engineering escrow of \$2,500.00.

**MOTION: A motion was made by Mr. Scanzillo, seconded by Mr. Jones, and unanimously approved, to approve the Consent Agenda items.**

**10. Board of Supervisors' Comments:** Mrs. Haun announced that the North Branch Watershed Associations Annual meeting would be held on January 22, 2015 at the New Britain Township Building.

Mr. Jones announced that the Township's first Movie Night was a success and had approximately 60-70 people attend. He stated it was a nice evening and was hopeful that the event would grow.

## **11. Township Administration Comments:**

**11.1. Wordsworth Planning Module Resolution #2014-18:** Ms. Bradley requested approval of a proposed resolution amending the Township Act 537 Plan, required by DEP, to allow the Wordsworth/Pine Valley Crossing Associates Subdivision to tie into the sewer system at Chalfont New Britain Township Joint Sewer Authority. Although capacity was now available, DEP had not yet authorized the final expansion.

**MOTION: A motion was made by Mrs. Haun, seconded by Mr. Scanzillo, and unanimously approved, to adopt Resolution #2014-18, approving the Wordsworth/Pine Valley Crossing Associates Sewage Facilities Planning Module.**

**11.2. Administration Emergency Generator Bids:** Ms. Bradley stated that the Generator Bids were opened on July 8, 2014, with the lowest responsible bid being from AJM Electric for \$95,400.00. Ms. Bradley stated that the Township had only budgeted \$75,000.00 for the project. Mrs. Haun suggested that staff review the budget and table the award until the next meeting.

**MOTION: A Motion was made by Mr. Jones, seconded by Mr. Scanzillo, and unanimously approved, to table the awarding of the Emergency Generator contract until the Township's next meeting.**

**11.3. Opposition of expanding federal control of Clean Water Act as Resolution #2014-19:** Ms. Bradley informed the Board about a proposed expansion of federal control under new Clean Water Act guidelines, expanding the types of waters covered under the Act. The new proposed unfunded mandate would include temporary waterways, such as manmade ditches. The proposed unfunded mandate could stop, delay or increase the cost of public projects and make managing public infrastructure more difficult.

**MOTION: A Motion was made by Mrs. Haun, seconded by Mr. Scanzillo, and unanimously approved, to adopt Resolution #2014-19, opposing the expansion of federal control under the Clean Water Act.**

**12. Solicitor and Engineer Comments:** Mr. Nelson stated that Mrs. Baltra had filed an appeal to County Court. This appeal stemmed from a violation notice issued by the Zoning Officer for an auto business illegally operated out of her home in a residential zone. She had appealed the violation notice to the Zoning Hearing Board, which upheld the Zoning Officer's decision. The briefing schedule had been issued and the Township would provide their brief after Baltra provided hers.

**13. Other Business:** There was no other business at this time.

**14. Public Comment:** Mrs. Browngold thanked the Board of Supervisors for all their work on the Wordsworth project.

**15. Payment of Bills:**

**15.1. Bills List dated July 23, 2014 for \$450,066.22:** Ms. Bradley stated that this Bills List included expenses for the 2014 Road Maintenance Program.

**MOTION: Upon motion by Mr. Jones, seconded by Mrs. Haun, the Board unanimously approved the Bills List dated July 23, 2014 for \$450,066.22.**

**15.2. Bills List dated August 1, 2014 for \$96,794.15.**

**MOTION: Upon motion by Mrs. Haun, seconded by Mr. Jones, the Board unanimously approved the Bills List dated August 1, 2014 for \$96,794.15.**

**16. Adjournment:**

**MOTION: There being no further business or comment, a motion was made by Mrs. Haun, seconded by Mr. Scanzillo, and unanimously carried, to adjourn the meeting at 8:05 p.m.**

**NEW BRITAIN TOWNSHIP BOARD OF SUPERVISORS**

\_\_\_\_\_  
John A. Bodden, Sr., Chair

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Robert V. Cotton, Vice Chair

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A. James Scanzillo, Member

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Helen B. Haun, Member

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William B. Jones, III, Member

Attest: \_\_\_\_\_  
Eileen M. Bradley  
Secretary/Manager