

**BOARD OF SUPERVISORS
MEETING MINUTES
June 5, 2017**

A Regular Meeting of the New Britain Township Board of Supervisors was held on Monday, June 5, 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 H. 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, land acquisition and litigation.

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 May 15, 2017:

MOTION: A motion was made by Mr. Bodden, seconded by Mrs. Haun, and unanimously approved to accept the May 15, 2017 Minutes as written.

6. Departmental Reports: There were no Departmental Reports at this time.

7. Consideration of Old Business:

7.1. 505 West Butler/Nolen Properties (Former Acme) Adjudication: Ms. Bradley stated that the Board had reviewed the application for Conditional Use for the property located at 505 W Butler Avenue, formerly known as the Acme property. Mr. Nelson added that the Board had previously granted approval pending the creation of this Adjudication at the May 1, 2017 Board of Supervisors meeting.

Motion: Upon motion by Mr. Hood, seconded by Mr. Bodden, the Board unanimously approved execution of the Adjudication for Conditional Use for 505 West Butler/Nolen Properties.

7.2. Public Hearing: Proposed Ordinance #2017-06-07 Omnibus Zoning Amendment: Mr. Nelson stated that the proposed ordinance was designed to clean up certain sections of the current Zoning Ordinance. Language was modified or clarified to certain definitions, occupancy requirements and property uses. Several typographical error were also corrected.

MOTION: Upon motion by Mr. Bodden, seconded by Mr. Jones, the Board unanimously approved Ordinance # 2017-06-07, the Omnibus Zoning Amendment.

8. Consideration of New Business:

8.1. Prestige Properties/the Vineyard at Peace Valley Preliminary/Final Plan: Appearing for the owner, Susan Gross, was Mr. Robert Bender. Appearing for the Applicant, Prestige Properties, was Mr. James

DeAngelo, developer, and Mr. Kris Reiss, P.E. of Boucher and James. Mr. Bender stated that the development of this property began in 2003 and had been ongoing for the last fourteen years. The property consisted of two parcels, 36.9 acres, in the WS-Watershed District. The design had gone through eleven renditions and the number of lots had been reduced from 27 lots to 12 lots in its current iteration.

Mr. Reiss stated that the project would be serviced by onsite wells and septic systems. Additional stormwater management features were incorporated in the project, including a new catch basin that connected to the current stormwater system.

Mrs. Haun asked if the existing system would be able to handle the additional water caught by the basin. Mr. Reiss stated that infiltration studies had been performed and the pipe size had been matched to the existing pipe size. Mrs. Marchand indicated that the improvements should reduce the flow of water.

Mr. Hood asked Public Works Superintendent Wayne Fultz what the drainage conditions were like on the property when it rained. Mr. Fultz stated that water sheet flowed down the road when there was any significant amount of rain. He believed that the basin would help to slow the water flow.

Mrs. Marchand outlined an issue with the preservation of Agricultural Soils on the property, a requirement of the WS Zoning District. Mr. Hood asked if the properties were laid out in such a way as to place a majority of the agricultural soils in the front or side yards, so that future residents would be able to build decks, pools or other accessory structures if they desired. Mr. Reiss stated that the Applicant was intending to do just that, which would be reflected on a revised plan, which would protect the soils as well as leave adequate room for additional construction while still meeting the requirements of preservation of the soils. Mr. Nelson added that each individual resident could apply to the Zoning Hearing Board for variances and draft a new easement, should additional area be needed.

Ms. Bradley asked if the developer was willing to agree to the conditions of the Fire Marshal's review letter, requiring a "turn-around" on the Lot #12 driveway. Mr. Reiss stated that they would comply with an area to accommodate fire trucks. Mr. Bender added that perhaps a horseshoe-shaped driveway instead of cul-de-sac at the end of one of the driveways would satisfy the requirement.

Mr. Reiss stated that the developer was seeking eight waivers. Ms. Bradley highlighted the partial waiver request related to public roadway improvements. She stated that based on current road conditions, road widening was recommended by Mr. Fultz. Mr. Hood stated that the Planning Commission had recommended road widening to eighteen feet on Upper Church Road and Old Limekiln Road, as the existing roadways were so narrow that cars were forced to pull into the ditch to allow trucks to pass.

Mrs. Marchand stated that Old Limekiln would need extensive sub-base repair. Mr. Fultz echoed those concerns, stating that the road was essentially a dirt road. He suggested that they could do in-place recycling, as would be done on Barclay Road. Mr. DeAngelo stressed that he wished to see this project move forward and that he understood that he needed to leave the road in a better condition than he found it. He believed that the financial burden of those improvements would be too costly. Mr. DeAngelo asked that the improvements could focus solely on Old Limekiln Road.

Ms. Bradley noted that there were three proposed driveway openings on both Upper Church and Upper Stump Roads; Old Limekiln Road had six proposed driveway openings. Mr. Hood stated that he believed the widening on Upper Church Road had to be done.

Mr. Scanzillo asked for public comment on the issues at hand.

Mrs. Brenda Hobbs of Old Limekiln Road asked several questions regarding well protection, septic systems, street trees, housing design and pricing. Mr. Bender stated that wells would be monitored for 18 months after the final home had been delivered which would protect any residents from hardship potentially caused by the construction. Mr. Reiss stated the septic systems were standard sandmounds. Street trees were proposed and outlined in the submitted plans. Mr. DeAngelo stated that three models had been designed, the largest being 5,700 square feet, with Bucks County-style stone facades.

Mr. Nelson suggested that the Board table a vote on the proposed plan to allow a resolution to be drafted for the next meeting. .

MOTION: Upon motion by Mr. Bodden, seconded by Mr. Hood, the Board unanimously moved to table the Preliminary/Final Land Development Approval to June 19.

9. Consent Agenda:

MOTION: Upon motion by Mr. Bodden, seconded by Mr. Jones, the Board unanimously approved the following Consent Agenda items: Execution of a Professional Services Agreement for Land Development of TMP #26-001-095-004, for construction of a single-family home, with corresponding legal and engineering escrow of \$5,000.00; execution of a Stormwater Facilities Operation and Maintenance Agreement and a Declaration of Natural Resource Protection Easement for Aaron and Bethany Mangin for TMP #26-004-016-003; execution of a Professional Service Agreement for Raymond King for development of TMP #26-001-108, 91 Barry Road, for the construction of accessory structures, with corresponding legal and engineering escrow of \$5,000.00; execution of a Professional Services Agreement for Alexander Sharpan/Apollo CM Group for development of TMP #26-012-046, 52 N. Chapman Road, for the demolition of an existing building and construction of a single family dwelling, with corresponding legal and engineering escrow of \$2,500.00.

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

11. Township Administration Comments:

11.1. Authorize Execution of Advisory Agreement with PFM: Ms. Bradley stated that an Agreement for financial consultation between the Township and PFM Advisors had been developed in conjunction with the proposed borrowing for the Bridge Project. She recommended the Board authorize execution of the Advisory Agreement with PFM.

MOTION: A motion was made by Mr. Jones, seconded by Mr. Bodden and carried unanimously, to authorize execution of an Advisory Agreement with PFM.

11.2. Reimbursement Resolution #2017-12: Ms. Bradley stated that in conjunction with the borrowing for the Bridge Project, Resolution #2017-12 would allow the Township to reimburse themselves for any expenses incurred on the New Galena Road Bridge Project that occurred prior to final settlement on the borrowing.

MOTION: A motion was made by Mr. Hood, seconded by Mrs. Haun and carried unanimously, to adopt Resolution #2017-12, authorizing the Township to reimburse expenditures made on Bridge and Culvert projects from funds obtained from the future borrowing.

11.3. Records Dissolution Resolution #2017-13: Ms. Bradley stated that Resolution #2017-13 would authorize the document destruction of Tax Collector Records from 2004 to 2015, per the directives of the Pennsylvania Municipal Records Retention Manual.

MOTION: A motion was made by Mr. Jones, seconded by Mrs. Haun and carried unanimously, to adopt Resolution #2017-13, authorizing the destruction of miscellaneous Tax Collector Records for Tax Years 2004 through 2015.

11.4. King Zoning Hearing Board Application: Ms. Bradley stated that on Thursday, June 15, the Zoning Hearing Board would consider the application of Raymond King, 91 Barry Road, TMP #26-001-108, in the SR-2 Suburban Residential Zoning District. The property is improved with a single-family residence (Use B1) and accessory barn (Use H2). The Applicant proposes to operate a Riding Academy (Use A10) in the existing barn and erect a horse pen area and new pole barn to be used as a garage (Use H1) and is seeking: (1) a Special Exception to operate the Riding Academy; (2) a variance to allow more than one principal use (Use B1 and A10); (3) a variance to operate the Riding Academy on less than 10 acres (lot is 9.32 acres); (4) a variance to allow 10.3% impervious surface (max. is 10%); (5) a special exception and/or variance to modify/waive the required planted buffer of 25 feet (none proposed); (6) a variance to allow the pole barn/garage to be located within 100 feet of the street/property line (83.7 ft.) and closer than 15 feet from the rear of the dwelling (11.3 ft.). Ms. Bradley recommended that the Board take no action.

MOTION: A motion was made by Mrs. Haun, seconded by Mr. Bodden and carried unanimously, to take no action for this application before the Zoning Hearing Board on June 15.

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

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

14. Public Comment: Ms. McCabe of W. Fairwoods Drive thanked the Board for making the changes to the Township Zoning Ordinance. Mr. Bodden stated that the Board always tries to act in the best interest of its residents.

Mr. James Frantz of Dolly Lane asked for an update on 213 Cornwall Drive. Ms. Bradley informed him that based on research done by Staff and the Township Solicitor, the use of barbed wire on the fence at 213 Cornwall Drive was permitted. Mr. Frantz also brought a property maintenance issue to the manager's attention.

Ms. Maryanne McBrearty of Dolly Lane asked if there was an update on 111 Dolly Lane. Ms. Bradley stated that the debris on the property had been removed and the pool had been demolished and filled in. All other violations had been addressed and corrective measures were taking place.

Ms. Maryanne McBrearty asked what would happen to the empty lot. Ms. Bradley stated that the Township had no control over this matter.

15. Payment of Bills:

15.1. Bills List dated May 26, 2017 for \$106,453.12:

MOTION: Upon motion by Mr. Jones, seconded by Mr. Hood, the Board unanimously approved the Bills List dated May 26, 2017 for \$106,453.12.

15.2. Bills List dated May 31, 2017 for \$8,672.42:

MOTION: Upon motion by Mr. Bodden, seconded by Mrs. Haun, the Board unanimously approved the Bills List dated May 31, 2017 for \$8,672.42.

15.3. Bills List dated June 1, 2017 for \$16,935.03:

MOTION: Upon motion by Mr. Hood, seconded by Mr. Jones, the Board unanimously approved the Bills List dated June 1, 2017 for \$16,935.03.

16. Adjournment:

MOTION: There being no further business or comment, a motion was made by Mrs. Haun, seconded by Mr. Jones, and unanimously carried, to adjourn the meeting at 7:50 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