

**BOARD OF SUPERVISORS
MEETING MINUTES**

June 16, 2014

A Regular Meeting of the New Britain Township Board of Supervisors was held on Monday, June 16, 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 A. James Scanzillo, William B. Jones, III and Helen B. Haun. Also present were Township Manager Eileen M. Bradley, Police Chief Robert Scafidi, Township Engineer Erik Garton, 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 litigation 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 June 2, 2014 Board of Supervisors' Regular Meeting:**

MOTION: A motion was made by Mrs. Haun, seconded by Mr. Jones, and unanimously approved to accept the June 2, 2014 Minutes as written.

- 6. Departmental Reports:**
 - 6.1. Code Enforcement Report for May 2014:** Ms. Bradley presented the Code Enforcement Report for May 2014.
 - 6.2. Police Department Report for May 2014:** Chief Scafidi presented the Police Department Report for May 2014.
 - 6.3. Public Works Department Report for May 2014:** Ms. Bradley presented the Public Works Department Report for May 2014.
 - 6.4. Park and Recreation Committee Recommendations for Junior Parade Marshals:** Ms. Bradley noted that the Park and Recreation Committee had recommended appointment of three young people as Junior Parade Marshals for the 2014 Annual Tri-Municipal July Fourth Parade: Michael Miller, Andrew Coleman and Payton Campbell. Mr. Jones commented that each of the youths had performed valuable volunteer work and would, therefore, be worthy of being Junior Parade Marshals.

MOTION: A motion was made by Mr. Bodden, seconded by Mrs. Haun, and unanimously approved, to appoint Michael Miller, Andrew Coleman and Payton Campbell as Junior Parade Marshals for the 2014 Tri-Municipal July Fourth Parade.

- 7. Consideration of Old Business**
 - 7.1. D & K Investment Group/2 Highlands Drive Special Exception:** Ms. Bradley noted that on Thursday, June 19, 2014 at 7:00 p.m. the Zoning Hearing Board would consider the application of D & K

Investment Group, LLC, for the property at 2 Highlands Drive, TMP #26-007-222-002, in the RR-Residential (PRD) Zoning District, for a proposed Use R7-Community Center as an Adult Day Care facility in an existing 5,500 square foot building. The applicant sought a Special Exception to allow the Use E7 in the PRD, as well as variances to allow a Use E7 on an undersized lot of 0.49 acres (5 required), and to allow the Use closer than the required minimum 100 feet. The public was invited to attend the hearing.

Ms. Bradley presented a draft list of recommended conditions for Board approval. Mr. Nelson commented that the Applicant's attorney planned to follow the State's limits on number of clients based on square footage. He also noted that the Applicant recognized the need for parking lot repairs, but wished to repair the parking lot as economics provided.

Mr. Bodden stated that the Applicant must follow all State regulations and any conditions imposed by the Zoning Hearing Board. Mr. Cotton asked about the parking lot and the parking situation. Ms. Bradley said that not a lot of cars would be coming in, but they would need a lot of space for the van access, since much of the clientele could be handicapped.

MOTION: A motion was made by Mr. Jones, seconded by Mrs. Haun, and unanimously approved, to send the Township Solicitor to the June 19 Zoning Hearing to protect the Township's interests.

8. Consideration of New Business

8.1. WB Homes/Colebrook Sketch Plan: Appearing for the Applicant was Mr. Chris Canavan of WB Homes, who presented a sketch plan for the Colebrook Residential Land Development at Schoolhouse Road, TMP #26-005-002, owned by Quad Graphics. The Applicant proposed re-zoning of the property from the I-Industrial Zoning District to the RR-Residential Zoning District to permit the construction of a Planned Residential Development (PRD) of 59 townhomes and twins.

Mr. Canavan stated that the existing stream and riparian buffer between the subject lot and the remaining Quad Graphics acreage made a natural delineation between the proposed residential use and the existing industrial zoning. He also noted that the proposed plan had a 33% impervious surface maximum, versus the allowed 65% impervious in the Industrial District.

Mr. Bodden called for public comment. Mr. Emil Tofton, Esquire represented the Kirkpatrick's on Schoolhouse Road. His clients did not object to the plans, had concerns about traffic and speed on Schoolhouse Road. Mr. Canavan noted that a full traffic study would be completed should the project go forward.

Mr. William Clark of Chatham Court offered his support to the zoning change from Industrial to RR Residential.

Mr. Bodden said he did not oppose the changes in zoning, and he added that a residential use could potentially reduce noise complaints received regarding Quad Graphics, as a larger buffer would be in place. Ms. Bradley added that it would be the staff's recommendation that full sidewalks be constructed.

Mrs. Haun said she had been initially opposed to the plan, but after considering the waterways, and the buffers, she could possibly support the zoning change. Mr. Jones stated that he originally did not want to give up a possible industrial location, but since there had been no movement or industrial interest in the location in at least 15 years, it made sense for the location to become residentially zoned. Mr. Scanzillo said the buffers would be good for both the proposed development and the existing residents across the street.

Mr. Canavan closed by stating that there should be no requests for relief from the RR-PRD zoning requirements, and that WB Homes would prepare an official petition to change the zoning in a few weeks.

8.2. Creek Road/Barone Sketch Plan: Appearing for the Applicant was Mr. Ted Koven of R.L. Showalter & Associates, who presented a sketch plan for TMP #26-012-067, located between East Peace Valley Road and Creek Road in the WS Watershed District. The Applicant proposed to divide the 16.9 acres of land into four B-1 single-family lots, ranging in size from 3.42 acres to 4.94 acres. The applicant proposed onsite wells and septic systems.

The Applicant offered a 10-foot by 20-foot turnout area along Peace Valley Road in lieu of full frontage improvements and a trail access easement across the property for a 20-foot wide future trail in lieu of park and recreation obligations. Mr. Koven stated that the Applicant would comply with the majority of the engineer's review comments.

Mr. Garton noted that staff had discussed plans for this property at a recent meeting that had all four properties exiting onto Creek Road that included stream crossings. Mr. Koven's current plans now had two of the properties exiting onto East Peace Valley Road and two onto Creek Road, with no stream crossing. Ms. Bradley added that the disturbance allowance for lots #3 and #4 were extremely close to maximum, which would not allow additional amenities such as pools, decks, garages or sheds, which would pose problems for future owners and the zoning office.

Mr. Koven provided pictures of the sight distance at the intersection of East Peace Valley and Callowhill Road. Ms. Bradley commented that the lack of visibility might have been part of the reason the last sketch plan that was submitted several years ago had failed.

Mr. Koven said the visibility of the intersection could be improved substantially by trimming the vegetation with permission from the current property owner. He suggested no road improvements on either Creek Road or East Peace Valley Road. Mr. Bodden said that it is very unlikely that the road improvement requirements would be waived.

Mr. Cotton expressed concerns about the floodplains on the property and in the surrounding area, but Mr. Koven said they would not be working in the floodplain areas. Ms. Bradley pointed out, however, that the proposed septic systems were directly adjacent to the floodplain and stream.

Mr. Bodden called for public comment. Mrs. Kathy Birkenstock of E. Peace Valley Road commented that she would like more visibility at the intersection of E. Peace Valley Road and Callowhill Road. She added that the vegetation running along E. Peace Valley Road beyond the intersection had become overgrown and caused a reduction in drivable roadway. Mr. Bodden said he would have public works look at it and trim the vegetation back if necessary.

Mr. Bodden stated that there were a substantial number of obstacles preventing this plan from proceeding and suggested Mr. Koven consult with his client and consider revising his plans.

8.3. Public Hearing for Proposed Ordinance #2014-06-03 Adopting Regulations on Bamboo: Mr. Bodden opened the Public Hearing at 7:50 p.m. Mr. Nelson noted that the hearing for the ordinance had been duly advertised and made available to the public. Ms. Bradley presented the ordinance and explained that the purpose was to protect private and public property from the damaging spread of certain bamboo grasses. She said the ordinance required the containerization of bamboo in pots or with barriers in the ground at least 40 feet from adjoining property lines and rights-of-way. The ordinance also provided for penalties for noncompliance.

Mrs. Haun commented that the ordinance was necessary as bamboo spread quickly. Mr. Bodden noted some bamboo could become very invasive and damage roadways. There was no Public Comment at this time. The Public Hearing was closed at 7:55 p.m.

MOTION: A motion was made by Mrs. Haun, seconded by Mr. Scanzillo, and unanimously approved, to adopt Ordinance #2014-06-03, amending Part 4 of Chapter 5 of the Township Code and adopting regulations for the planting, controlling and removal of bamboo, and providing penalties and other remedies for violations.

9. Consent Agenda: There was no Consent Agenda.

10. Board of Supervisors Comments: Mrs. Haun commented that the North Branch Watershed Association Derby Day provided a great fishing opportunity for dads and children on Father's Day. Mr. Cotton stated there was still a long way to go with the road repairs after the harsh winter. Mr. Bodden commented that PennDOT was currently doing work on Ferry Road.

11. Township Administration Comments:

11.1. Resolution #2014-15: Revised Fee Schedule: Ms. Bradley stated there were two needed changes to the Fee Schedule. The first involved an increase in the liquor license transfer fee to \$2,000.00. The second change added a minimum of \$10.00 per escrow bill for processing of professional services escrow billing.

MOTION: A motion was made by Mr. Scanzillo, seconded by Mrs. Haun, and unanimously approved, to adopt Resolution #2014-15, revising the Township Fee Schedule.

11.2. Resolution #2014-16: Adopting Regulations for the Transfer of Liquor Licenses: Ms. Bradley explained that the resolution enumerated the requirements for the transfer of a liquor license from another municipality into New Britain Township.

MOTION: A motion was made by Mrs. Haun, seconded by Mr. Jones, and unanimously approved, to pass Resolution #2014-16, adopting regulations for the transfer of liquor licenses.

12. Solicitor & Engineer Comments: Mr. Garton introduced Ms. Janene Marchand of Gilmore & Associates, who had been working with Mr. Garton and Mr. Kennard on Township engineering work.

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

14. Public Comment: Mr. Gene Dolan of Indian Creek Way commented that at Township events, people had been parking their cars along Park Avenue and leaving ruts in the grass, especially after rainstorms. Mr. Jones commented that the Township could eliminate some of the traffic by opening up additional parking lots during the Easter Egg Hunt. Ms. Bradley added that staff would examine the problem before the Fall Festival.

15. Payment of Bills: There were no Bills for this meeting.

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 8:05 p.m.

NEW BRITAIN TOWNSHIP BOARD OF SUPERVISORS

John A. Bodden, Sr., Chair

Robert V. Cotton, Vice Chair

A. James Scanzillo, Member

Helen B. Haun, Member

William B. Jones, III, Member

Attest: _____
Eileen M. Bradley
Secretary/Manager