

**BOARD OF SUPERVISORS
MEETING MINUTES
September 22, 2008**

A regular meeting of the New Britain Township Board of Supervisors was held on September 22, 2008 at the Township Administration Building, 207 Park Avenue, New Britain Township, PA, and beginning at 7:00 p.m. Present were Supervisors: A. James Scanzillo, Chair; Robert V. Cotton, Vice-Chair; and members John A. Bodden, Sr.; Helen B. Haun and William B. Jones. Also present were: Cathy Kichline, Assistant Manager; John B. Rice, Township Solicitor, Craig Kennard, Township Engineer, Robert Scafidi, Police Chief and Wayne Fultz, Public Works Superintendent.

1. Call to Order: Mr. Scanzillo called the meeting to order.

2. Pledge of Allegiance: Mr. Scanzillo led the audience in the Pledge of Allegiance.

3. Announcements from the Chair: Mr. Scanzillo announced the appointment of Eileen Bradley as Township Manager. Ms Bradley comes to New Britain Township with experience in local government.

MOTION: Upon motion by Mr. Cotton and seconded by Mr. Bodden the Board unanimously appointed Eileen Bradley as Township Manager based on the terms of the contract.

Mr. Scanzillo congratulated Mrs. Julie Boyd upon her retirement from New Britain Township. Mrs. Boyd has served the township for 29 years. The Board extended their best wishes to Mrs. Boyd.

Mr. Scanzillo and the Board also extended their best wishes and congratulations to Chief Robert Scafidi upon his 35 years with New Britain Township.

4. Public Comment: There was no public comment.

5. Approval of Minutes from September 8, 2008 Public Meeting:

MOTION: A motion was made by Mr. Jones, seconded by Mrs. Haun, and unanimously carried, to approve the September 8, 2008 minutes, as written.

6. Departmental Reports

6.1. Public Works: Mr. Fultz presented the Public Works report for the month of July and August. Mr. Cotton suggested Mr. Fultz take a look at the traffic calming signs and consider larger print for future purchases.

6.2 Police: Chief Scafidi requested his report be deferred. Chief Scafidi reported that Devan Ambron began work on September 15th and has been training in Buckingham. Chief Scafidi also reported on a foot chase through the township today that resulted in an apprehension of the suspect.

6.3 Code Enforcement and Fire Marshal: Ms. Kichline presented the report of the Code Enforcement and Fire Marshal. Questions were deferred until next month when Mr. Teschner will be present.

7. Consideration of Old Business: None

8. Consideration of new Business:

8.1. Consider for Adoption the amendment of Chapter 27, Zoning, of the New Britain Township Code of Ordinances revising the standards for a Planned Community Center and permitting a Planned Community Center in the C-1 Commercial Zoning District.

Solicitor Rice summarized the proposed ordinance before the Board. The Ordinance revises the standards for the Planned Community Center Mix. At the recommendation of staff and planning commission the Planned Community Center Mix is being updated to allow for some types of residential and to eliminate some types of industrial uses. The ordinance also provides for the Planned Community Center Mix, use J31, permitted in the C-1 zoning district. The ordinance was advertised twice in the Intelligencer; once on September 8 and again on September 15. The proposed ordinance has been reviewed by both the New Britain Township Planning Commission and the Bucks County Planning Commission. Solicitor Rice noted the ordinance also eliminates billboards. Attorney Scott McNair, representing Bonnie's Flowers, questioned if the Planned Community Center Mix incorporates residential uses. Solicitor Rice noted the ordinance allows for residential uses but is flexible.

MOTION: Upon motion by Mr. Cotton and seconded by Mr. Jones, the Board unanimously approved Ordinance 2008-09-02 amending Chapter 27, Zoning, of the New Britain Township Code of Ordinances that revises the standards for a Planned Community Center and permits a Planned Community Center in the C-1 Commercial Zoning District.

8.2. Conditional Use Hearing of Gwyn Equity, Inc. to establish a J31 Planned Community Center at a property located within the C-1 zoning district on West Butler Avenue and County Line Road including

TMP numbers 26-100, 26-006-101, 26-006-101-001, 26-006-101-002, 26-006-101-003, 26-006-101-004 and 26-006-101-005.

Solicitor Rice opened the hearing by noting this is a conditional use hearing for County Line/New Britain Realty LP for properties located along County Line Road and West Butler Avenue to establish a J31 use in the C-1 zoning district. The hearing was advertised in the Intelligencer on September 8 and September 15. Solicitor Rice explained the procedures to the Board and audience. Solicitor Rice asked if anyone present wanted to be party to the hearing. Scott McNair, representing Daryl Presti indicated they wanted to be party to the hearing. Attorney John VanLuvanee, Engineer Robert Irons, Robert Kahan and Mark Haber were present to represent the applicant. Mr. Irons was called to present the proposed plan at the property. Mr. Irons explained this site encompasses 16+ base site acres which is proposed to include building sites including a WaWa with product dispensing, Walgreens Pharmacy, First Trust Bank, and office buildings. The applicant is working with Traffic Planning & Design, as well as PennDot on County Line Road and Rt. 202 improvements that include a five land cross section on County Line Road, widening, a reduction in curb cuts and the addition of two full through lanes. Rt. 202 improvements include variable widening along the property frontage, elimination of curb cuts, a signalized intersection aligning with the Genuardi's shopping center and a right in only access to Wawa. A number of exhibits were presented including; A-1; application for Conditional Use, A-2 Boundary and Topo survey, A-3; site plan, A-4 filed preliminary land development plan, revised 5/16/08, A-5 revision to exhibit A-4 last revised 9/11/08 and A-6; Environmental Impact Study. Mr. Irons also presented and explained a truck circulation plan depicting the circulation pattern for different size trucks. Also presented was exhibit A-7; architectural renderings of the buildings as prepared by JKR Partners LLC.

Board members expressed a need to have all trash enclosures architecturally compatible, the need for the elimination of numerous curb cuts, strategically placed pedestrian accessways, parking guidelines established for particular uses, a 25' driveway access to the northeast corner to Acme, and the granting of an easement to New Britain Township along the rear lot lines of the three existing commercial properties fronting Route 202. The need to include New Britain Township in the location of the fire hydrants was also discussed.

Mr. Presti pointed out his concern with environmental impact on the depicted wet lands, how the traffic along Rt. 202 will block his existing driveway and interrupt his business.

The Board also discussed the need for DEP approval when encroaching upon wetlands. Mr. Irons commented they would need a General Permit #7 from DEP.

Mr. William Kahan informed the Board he currently has three signed lease agreements. He understands he must come before the Board if any of the other pad sites should change in size or location. Mr. Kahan also discussed several covenants outlined in the lease agreements that prevent certain types of businesses locating on the site which would prevent him from granting an easement to the township for driveway access to the three outparcels. Mr. Kahan informed the Board that if he agreed to an easement, the three out parcels would have to participate in maintenance and covenants of the lease.

The Board encouraged Mr. Kahan to work out an agreement with the three outparcels. Mr. VanLuvanee informed the Board the site will be served by public water and sewer. A sign package will be submitted for approval at a later date.

Mrs. Mary Jo Terpelak commented on tree protection. Mr. David Graff commented on the need for additional lanes along Route 202.

Being no further testimony, Solicitor Rice informed everyone present the Conditional Use Hearing will be continued to Monday, September 29th at 9:00 AM.

MOTION: Upon motion by Mrs. Haun and seconded by Mr. Bodden, the Board unanimously approved continuing the hearing to Monday, September 29th at 9:00 AM.

9. Consent Agenda:

- Escrow Release #2, Vertis Corporation Building Addition

MOTION: Upon motion by Mr. Cotton, seconded by Mr. Bodden, the Board unanimously approved the Escrow Release #2 for the Vertis Corporation Building addition.

10. Board of Supervisor Comments: Mrs. Haun noted the annual Stream Clean Up was held this past Saturday and went well.

11. Solicitor and Engineer Comments: Solicitor Rice requested the Board permit an administrative release of Borden Farms escrow upon approval of the township engineer.

MOTION: Upon motion by Mrs. Haun, seconded by Mr. Jones, the Board unanimously approved an administrative release of the Borden Farm escrows.

12. Other Business: There was no other business before the Board.

13. Payment of Bills:

MOTION: Upon motion by Mr. Jones, seconded by Mr. Bodden the Board unanimously approved the bills lists dated 9/18/08 and 9/22/08.

14. Public Comment: No members of the public offered comments.

15. Adjournment:

MOTION: Upon motion by Mr. Bodden, seconded by Mr. Jones the meeting was adjourned at 9:45 PM.

NEW BRITAIN TOWNSHIP BOARD OF SUPERVISORS

A. James Scanzillo, Chair

Robert V. Cotton, Vice-Chair

John A. Bodden, Sr., Member

Helen B. Haun, Member

William B. Jones, Member

Attest: _____
Cathy Kichline
Secretary/Assistant Manager

Minutes approved on: _____