

**MINUTES OF PLUMSTEAD TOWNSHIP
BOARD OF SUPERVISORS
REGULAR SCHEDULED MEETING
JANUARY 10, 2023**

1. Call to Order: The January 10, 2023, regular scheduled meeting of the Plumstead Township Board of Supervisors was held at Plumstead Township Municipal Building, 5186 Stump Road, Pipersville, PA. Chairman, James McComb, called the meeting to order at 7:00 p.m.

ELECTED OFFICIALS PRESENT:

James McComb	Chair
Daniel Hilferty	Vice Chair
Kenneth Lichtenstein	Assistant Secretary
*Peter Busillo	Member
Gregory Bankos	Assistant Treasurer

APPOINTED OFFICIALS PRESENT:

Township Manager:	Angela P. Benner
Township Solicitor:	Jonathan J. Reiss, Esq.
Township Engineer:	Timothy Fulmer, PE

* Not Present

2. Moment of Silence & Pledge of Allegiance: Mr. McComb led the Board and Audience in a moment of silence followed by the Pledge of Allegiance.

3. Announcements: Mr. McComb stated the Township has received an application from William & Marjorie Hirst to place 4152 Curley Hill Road into the Agricultural Security Area. This property consists of 3 parcels total (TMP's #34-011-027, #34-011-027-004 & #34-011-027-001.

Mr. McComb stated that January 9, 2023, was Law Enforcement Appreciation Day and thanked the Chief of Police and the Township Police Department for their service.

The Township Offices will be closed in observation of MLK Day on Monday January 16th.

The Board of Supervisors Work Session scheduled for Tuesday January 24th and the Planning Commission Comprehensive Plan Work Session scheduled for Thursday January 26th have been cancelled.

4. Public Comment: There was no public comment at this time.

5. Plumsteadville Volunteer Fire Company: Ms. Benner stated that she is requesting authorization for the Bucks County Redevelopment Authority (BCRA) to serve as the Grantee for the RACP Grant and consideration from the Board in covering the cost associated with the BCRA managing the grant, which is \$30,000 for the next two years.

MOTION: A motion was made by Mr. Lichtenstein and seconded by Mr. Bankos to authorize the Bucks County Redevelopment Authority to serve as Grantee for the RACP Grant and to assist in covering the cost associated with BCRA being the grantee. Motion did not carry.

MOTION: Upon motion by Mr. Bankos, seconded by Mr. Lichtenstein, the Board unanimously authorized the Bucks County Redevelopment Authority to serve as Grantee for the Plumsteadville Volunteer Fire Companies RACP Grant.

MOTION: Upon motion by Mr. Bankos, seconded by Mr. Lichtenstein, the Board unanimously authorized assistance in covering the cost associated with the BCRA being the grantee not to exceed up to \$15,000 for the year of 2023.

6. Zoning Hearing Board Applications:

6.1. TMP #34-011-133 (3931 Sawmill Road): Ms. Benner stated that the applicant is proposing to convert the existing single family dwelling to a veterinary office with a parking lot area to accommodate the use of the property. Ms. Benner added that the applicant is not proposing any expansion to the existing buildings and therefore, the project does not require land development.

Mr. Hilferty summarized the properties history and asked about the bridge and trail connection. Mr. Reiss stated that because there is not a land development project, the Board cannot require improvements but stated that the Zoning Hearing Board can establish conditions, associated with the variances.

There was a consensus among the Board to stay neutral and leave the matter to the Zoning Hearing Board.

6.2. TMP #34-040-039 (39 John Dyer Way): Ms. Benner stated that the applicant is proposing to construct a detached garage which would require relief to permit the garage be 6 feet from the side yard where 25 feet is required and to allow the garage to be constructed in the required side yard.

There was a consensus among the Board to stay neutral and leave the matter to the Zoning Hearing Board.

6.3. TMP #34-003-099 (5502 Easton Road): Ms. Benner stated that the applicant is proposing to convert an existing accessory structure to an accessory dwelling for his mother to reside and is looking for zoning relief to allow a B11 Accessory Use to the existing F3 non-residential use and to allow the accessory dwelling to be owned by a limited liability company. In the alternative the applicant is requesting relief to permit more than one principal use be established on the property. Ms. Benner added that the applicant has offered as a potential condition to the ZHB, to dismantle the accessory dwelling and discontinue all residential use when/if his mother ever leaves the residence.

Members of the Board expressed concern with the potential dual use and Ms. Benner expressed her concern with regulating the condition that the applicant is offering. Mr. Reiss suggested that a condition could be made to allow the Township to inspect the property once a year, require that they give notice to the Township when the tenant (mother) has vacated, and/or make a condition through a unilateral declaration.

Mr. Hilferty stated he would like to send Mr. Reiss in opposition to the application.

MOTION: Upon motion by Mr. Hilferty, seconded by Mr. McComb, the Board on a 3-1 vote, authorized to send the Township Solicitor in opposition to the application.
Mr. Lichtenstein opposed.

7. Land Development:

7.1. Holly Ridge Subdivision – Blasting Permit Request: Ms. Benner stated that Rock Work has been retained for the Holly Ridge Subdivision project to perform the required blasting. Per the developer's agreement the applicant is required to get approval from the Board of Supervisors to move forward with blasting. Ms. Benner stated that the applicant already received the appropriate approval from PADEP who regulates blasting.

MOTION: Upon motion by Mr. Bankos, seconded by Mr. Lichtenstein, the Board unanimously authorized blasting for rock removal as part of the Holly Ridge Subdivision project subject to compliance with the Wynn Associates, Inc review letter dated January 4, 2023.

7.2. Fred Beans Lincoln Land Development: Authorization to accept completion of the public improvements and commencement of the 18-month maintenance period with authorization to reduce the amount of financial security to 15% of the cost to install the improvements.

MOTION: Upon motion by Mr. Hilferty, seconded by Mr. Lichtenstein, the Board unanimously accepted completion of the public improvements and commencement of the 18-month maintenance period for the Fred Beans Lincoln Land Development project and to authorize the reduction of the financial security to 15% of the cost to install the improvements subject to Wynn Associates, Inc review letter dated December 12, 2022.

7.3. Fred Beans VW – Preliminary/Final Approval Request: Ms. Benner stated that the applicant proposes to consolidate 2 parcels and construct new VW dealership. Ms. Benner added that applicant is requesting preliminary/final approval be granted. In attendance was the applicant Mr. Fred Beans, along with his engineer Anand Bhatt, P.E. and attorney Ed Wild, Esq., P.E. Mr. Wild provided the board with the background of the project and stated that the applicant is willing to comply with the items in the review letter. Mr. Fulmer stated that the at the Planning Commission it was discussed that a barrier be constructed at the steep runoffs.

MOTION: Upon motion by Mr. Hilferty, seconded by Mr. Bankos, the Board unanimously granted waivers A – M listed in the Wynn Associates, Inc. review letter dated December 7, 2022.

MOTION: Upon motion by Mr. Hilferty, seconded by Mr. Lichtenstein, the Board unanimously granted preliminary/final approval for the Fred Beans Volkswagen Land Development project subject to compliance with the Wynn Associates, Inc review letter dated December 7, 2022 with the added condition that the applicant would agree to install a protective barrier along the top of the existing retaining wall at the south/west property boundary to improve protection from the steep drop along the property boundary with Cross Keys Shopping Center.

7.4. Plumstead Business Campus – Sketch Plan: Ms. Benner stated that the parcel is subject of a prior subdivision/land development which received conditional final approval on December 17, 2002. The revised development concept involves the elimination of two office buildings on the site and the addition of a warehouse building and convenience store with gasoline and EV charging facilities. The proposed changes are due to how the market has changed over the past several years with respect to less demand for office space and the need for more warehouse space.

In attendance was property owner, Robert Sigety along with his attorney Rob Gunlock, Esq., and Engineer John Reiss, P.E. Mr. Gunlock provided an overview of the proposed project and stated that the applicant is willing to construct a traffic light if the convenience store/gas use were permitted. Without that use a traffic light wouldn't meet the required PennDOT warrants.

There was concern expressed about the height of the proposed warehouse and non-permitted Gasoline / Convenience Store Use. Feedback was provided to the applicant requesting that they speak with the local fire company about the height of the proposed warehouse and to perform a traffic study to show if a traffic light would be warranted with all that is proposed.

8. Old Business:

8.1. Environmental Advisory Council – Request to hold Electric Vehicle Demonstration Event: Matt Rossi, EAC Chairman was in attendance with a request to hold a electric vehicle demonstration event for Earth Day 2023.

Mr. Bankos stated that his concern is that the event will be advocacy not education and wants to see multiple car dealerships attend. Mr. Hilferty stated that there are other options besides electric and he does not want only one technology to be addressed and he would also like to see more than just one dealership asked to participate. Mr. Lichtenstein stated that this event is consistent with the mission of the EAC. Mr. McComb stated that he has concerns with this being a Township event as he does not want it to come across as the township promoting electric vehicles.

The Board gave approval for the EAC to have an Earth Day event and engage and educate the public on a wide range of environmental topics that would include alternative transportation including Electric/Hybrid Vehicles and Electric bikes, trees, recycling, and other environmental topics.

8.2. Authorization to sell the 2015 Ford Police Interceptor to the highest bidder William Kearny: Ms. Benner stated that the previous bidder who this was awarded changed his mind on purchasing the vehicle, so it was put back out to bid on Municibid.

MOTION: Upon motion by Mr. Hilferty, seconded by Mr. Bankos, the Board unanimously adopted Authorization to sell the 2015 Ford Police Interceptor to the highest bidder William Kearny high bid of \$4,750.

8.3. Public Hearing on Ordinance #2023-01: Establishing a Three-Way Stop Intersection at Landisville & Burnt House Hill Roads

Mr. McComb opened the Public Hearing at 8:42 pm.

Mr. Reiss presented the Ordinance and stated that it had been appropriately advertised. There were no comments from the Board or the public.

Mr. McComb closed the Public Hearing at 8:43 pm.

MOTION: Upon motion by Mr. Lichtenstein, seconded by Mr. Hilferty, the Board unanimously adopted Ordinance #2023-01 establishing a three-way stop intersection at Landisville & Burnt House Hill Roads.

8.4. Omnibus Ordinance - Authorization to Advertise: Ms. Benner presented the Board with the final draft of the Omnibus Zoning Ordinance and stated that it had been reviewed by the Township and County Planning Commissions.

MOTION: Upon motion by Mr. Bankos, seconded by Mr. Hilferty, the Board unanimously authorized advertisement of the Omnibus Zoning Ordinance.

8.5. Resolution #2023-06: Authorizing Execution of ARLE Grant Extension Agreement: Ms. Benner stated that the Township obtained a extension for the ARLE Grant that is reimbursing a portion of the cost associated with the pedestrian improvement program, since the construction will not be done until later this year.

MOTION: Upon motion by Mr. Hilferty, seconded by Mr. Lichtenstein, the Board unanimously approved Resolution #2023-06 authorizing execution of the ARLE Grant Extension Agreement.

9. New Business:

9.1. Public Sewer Connection Request: TMP #34-010-009 (4893 West Swamp Road): Ms. Benner stated that Mr. Umstead is requesting the allocation of two (2) EDUs for a proposed duplex dwelling on the property.

MOTION: Upon motion by Mr. Hilferty, seconded by Mr. Bankos, the Board unanimously approved the allocation of two (2) EDUs to TMP #34-010-009 for a duplex dwelling subject to compliance with the Wynn Associates, Inc review letter dated December 19, 2022.

9.2. Acknowledgement of Zech States 10 Year of Public Service: Ms. Benner stated that Zech States has worked for the public works department for 10 years and that he is a hard worker who brings a positive attitude to the Township.

9.3. Consideration of Appointment to Planning Commission Vacancy:

MOTION: Upon motion by Mr. Bankos, seconded by Mr. Lichtenstein, the Board appointed Chance Worthington to the Planning Commission.

AGENDA AMENDMENT

At this time Mr. Bankos requested the Board consider amending the agenda to add an additional item under New Business related to the appointment of a new member to the Park and Recreation Advisory Board.

MOTION: Upon motion by Mr. Bankos, seconded by Mr. Hilferty, the Board unanimously amended the agenda to add the consideration of Appointment to the Park and Recreation Committee.

9.4. Consideration of Appointment to Park and Recreation Vacancy:

MOTION: Upon motion by Mr. Bankos, seconded by Mr. Hilferty, the Board appointed Vonna DeArmond to the Park and Recreation Advisory Board.

9.5. BOS Liaison Responsibilities: Ms. Benner presented the Board with a list of duties that Mr. McComb and her drafted and asked the Board if they would be interested in creating a resolution formalizing these duties.

There was a consensus among the Board to have a resolution drafted which outlines the Board Liaison Responsibilities for considered at a future meeting.

10. Consent Agenda:

10.1. Bills List Dated January 10, 2023, in the amount of \$103,929.65, subject to audit

10.2. Minutes of Meeting of December 13, 2022

10.3. Minutes of Re-Organization Meeting of January 3, 2023

MOTION: Upon motion by Mr. Lichtenstein, seconded by Mr. Hilferty, the Board unanimously approved the consent agenda as presented.

11. Board of Supervisors Comments:

Mr. Bankos inquired as to how the survey results will be compiled to show the results from the surveys from the residents that were specifically sent the survey vs. those who saw the survey on internet and completed. Mr. Bankos also inquired as to why Gardenville Fields is the only field that has a handicap accessible restroom.

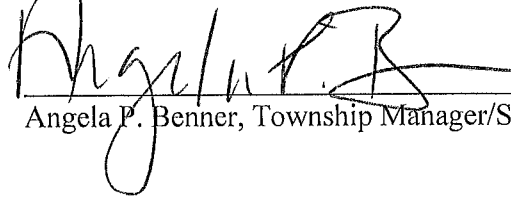
Mr. Lichtenstein reminded the Board about BCATO and the convention in February.

Mr. McComb presented the Board with the meeting protocol that he would like to be implemented going forward.

12. Public Comment: There was no public comment at this time.

13. Adjournment: Upon motion by Mr. Lichtenstein and seconded by Mr. Bankos, the meeting was adjourned at 9:11pm.

Respectfully Submitted,



Angela P. Benner, Township Manager/Secretary

Date Approved: 2/14/23