

**MINUTES OF PLUMSTEAD TOWNSHIP
BOARD OF SUPERVISORS
REGULAR SCHEDULED MEETING
FEBRUARY 14, 2023**

1. Call to Order: The February 14, 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 Planning Commission meeting scheduled for February 16th, the HAC meeting scheduled for Monday, February 20th, the Planning Commission Comp Plan work session scheduled for Thursday, February 23rd and the BOS work session scheduled for Tuesday, February 28th have been cancelled.

Township offices will be closed on Monday February 20th in observation of Presidents Day.

Ms. Benner requested the Board amend the agenda to add the Plumsteadville Pub Land Development Waiver request as agenda item number 8.7.

MOTION: Upon motion by Mr. Hilferty, seconded by Mr. McComb, the Board unanimously amending the agenda to add the Plumsteadville Pub Development Waiver request as agenda item number 8.7.

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

5. Swearing in of Corporal Dockery: Chief Mettin provided background on Officer Timothy Dockery as well as explained the process of being promoted to Corporal. Chief Mettin requested the Board promote Officer Timothy Dockery to Corporal.

MOTION: Upon motion by Mr. Hilferty, seconded by Mr. Lichtenstein, the Board unanimously approved the promotion of Timothy Dockery to Corporal.

Officer Dockery was sworn in as Corporal by Judge Gary Gambardella as his wife Shannon held the bible.

6. Public Sewer Connection Requests:

6.1. **TMP #34-004-060-001 (5687 Meetinghouse Road):** Ms. Benner stated the property owner has requested the allocation of 1 EDU for a single-family dwelling.

MOTION: Upon motion by Mr. Hilferty, seconded by Mr. Lichtenstein, the Board allocated one (1) EDU to TMP #34-004-060-001 subject to the Wynn Associated Inc review letter dated February 6, 2023.

7. Zoning Hearing Board Applications:

7.1. **TMP #34-018-029 (6596 Groveland Road):** Ms. Benner stated that the applicant is looking to demolish the additions to the original farmhouse which is listed on the Township's Historic Inventory List (HIL).

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

8. Land Development:

8.1. **Wurz Minor Subdivision – Preliminary / Final Plan Approval:** Ms. Benner stated that the applicant proposes to subdivide 14.40 acres along Burnt House Hill and Bergstrom Roads into 2 single family detached dwelling lots. Ms. Benner stated that waiver #4.C. and 4.D. would allow for further subdivision of Lot #1 and if further subdivided it would create a flag lot. Ms. Benner stated that it is the recommendation of the Township Planning Commission that if the waivers are granted a plan note and restrictive covenant be included to state that if further subdivision is proposed within 5 years of the date of plan recordation, that the application will be considered a major subdivision.

Mr. Reiss disclosed that up until 2010 he has represented the applicant on both a business and personal level, but never on any matter related to this property or subdivision. Mr. Reiss stated that he does not feel he is in a position of conflict of interest and the Board agreed.

In attendance was the applicants engineer, Tyler Freed from Mease Engineering, P.C. Mr. Hilferty expressed his concern with granting the waivers that would allow for the further subdivision of lot #1, creating a flag lot. Mr. Freed stated that the intention of the applicant is not to come in and immediately subdivide the lot further at this time, rather the applicant would like to keep that as an option for the future. Mr. Busillo and Mr. Bankos also expressed concern with the waivers being discussed.

Mr. Freed stated that due to the fact that the applicant is not present or able to speak on behalf of the plan, he would grant a time clock extension for the preliminary/final plan until Mach 31, 2023 so that this could be discussed further at the next Board meeting.

MOTION: Upon motion by Mr. Busillo, seconded by Mr. Bankos, the Board unanimously accepted the time clock extension letter for the Wurz Minor Subdivision.

8.2. **N&J Excavating (Froshour) Land Development:** Ms. Benner stated that the applicant proposes for the property to be developed for a contracting use on Kellers Church Road in the Light Industrial District. Property would have a 6,705 SF one story building with 22 parking spaces and driveway access off Kellers Church Road. Ms. Benner also stated that earlier this evening she received the updated review from the lighting consultant who confirmed the plan was compliant with the Township's ordinance. In attendance was the applicants engineer, Scott Mill with Van Cleef Engineering. Mr. Mill reviewed the plan with the board and explained how they are not installing the max impervious permitted, are able to preserve some existing vegetation on the lot and showed where the buffer would be installed.

Ms. Benner stated that the applicant is requesting preliminary / final approval, however due to the fact that the applicant has not received planning module approval from PADEP, Ms. Benner recommended that the Board only consider granting preliminary approval at this time.

MOTION: Upon motion by Mr. Hilferty, seconded by Mr. Bankos, the Board unanimously approved waivers B-E listed under #4 on the Wynn Associates Inc review letter dated February 3, 2023.

MOTION: Upon motion by Mr. Busillo, seconded by Mr. Hilferty, the Board unanimously voted to not require the applicant to conduct a traffic impact study.

MOTION: Upon motion by Mr. Hilferty, seconded by Mr. Lichtenstein, the Board unanimously granted preliminary approval for N&J Excavating Land Development subject to compliance with the Wynn Associates Inc. review letter dated February 3, 2023.

MOTION: Upon motion by Mr. Hilferty, seconded by Mr. McComb, the Board unanimously allocated one (1) EDU for the N&J Excavating Land Development project.

8.3. 5385 Durham Road (Frederick Property) – Request for Conditional Use Extension: Ms. Benner stated that a conditional hearing was held in January of 2021. Ms. Benner stated that according to the Township's ordinance a conditional use expires after 1 year, however she does not believe that anyone was aware that the approval expired. Due to the fact that the applicant has been actively working towards satisfying the conditions of the approval, they are requesting the conditional use approval be extended for an additional year.

MOTION: Upon motion by Mr. Lichtenstein, seconded by Mr. McComb, the Board unanimously authorized the Conditional Use dated January 26, 2021, expiration date be extended to February 14, 2024.

8.4. 5385 Durham Road (Frederick Property) – ZHB Application for Variance: Ms. Benner stated that a variance is required for the existing barn that is located in the setback in order to be used as part of the Event Venue Use.

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

8.5. Frederick Minor Subdivision – Preliminary / Final Plan Approval: Ms. Benner stated that this is a minor subdivision for the 41.20-acre parcel along Durham Road in the RO district. Attorney for the applicant, Mr. Ed Wild, presented the plan to the board and indicated that the applicant will comply with the engineer's review letter.

MOTION: Upon motion by Mr. Bankos, seconded by Mr. Lichtenstein, the Board unanimously granted waivers A – F shown on the Wynn Associations Inc. review letter dated December 16, 2022, subject to a capital contribution in lieu of street improvements in the amount of \$5,000 and recreation land dedication in the amount of \$2,078 prior to plan recordation.

MOTION: Upon motion by Mr. Hilferty, seconded by Mr. McComb, the Board unanimously granted preliminary / final approval for the Frederick Minor Subdivision of TMP #34-15-33 subject to compliance with the Wynn Associates Inc. review letter dated December 16, 2022 and Keystone Tree Experts review dated January 12, 2023.

8.6. Fred Beans Lincoln Dealership – Acceptance of Replacement Financial Security: Ms. Benner stated that the Applicant has requested their Financial Security be changed from a LOC to cash.

MOTION: Upon motion by Mr. Hilferty, seconded by Mr. Bankos, the Board unanimously accepted cash as the financial security to be held in place of the existing line of credit for the 18-month maintenance period for the Lincoln Dealership Land Development.

8.7. Plumsteadville Pub Request for Waiver of Land Development: Ms. Benner stated that the applicant is requesting a waiver of land development for the construction of a 2nd floor building addition and associated deck that will be used for storage.

MOTION: Upon motion by Mr. Hilferty, seconded by Mr. Bankos, the Board unanimously granted the Land Development Waiver Request for 1133 North Easton Road subject to compliance with the Wynn Associates Inc review letter dated January 5, 2023.

9. Old Business:

9.1. Public Hearing on Ordinance #2023-02: Omnibus Zoning Ordinance Amendment:

Mr. McComb opened the public hearing at 8:09 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 8:12 PM.

MOTION: Upon motion by Mr. Hilferty, seconded by Mr. McComb, the Board unanimously adopted Ordinance #2023-02 amending the Township's Zoning Ordinance.

9.2. Resolution #2023-07: Establishing a Policy for Board of Supervisors Liaisons:

MOTION: Upon motion by Mr. Bankos, seconded by Mr. Lichtenstein, the Board unanimously approved Resolution #2023-07 establishing a policy for Board of Supervisors Liaisons.

9.3. Acceptance of Cost Sharing Ratio of the NWWA Interconnection Project in the amount of \$950,000

MOTION: Upon motion by Mr. Hilferty, seconded by Mr. Lichtenstein, the Board unanimously accepted the Township's cost sharing ratio for the NWWA Interconnect Project in the amount of \$950,000.

10. New Business:

10.1. TMP #34-018-029 (6596 Groveland Road) – Proposed Conservation Easement Modification: Ms. Benner stated the applicant is proposing to modify the location of the existing conversation easement to enable construction of a new driveway and expansion of an existing single family detached dwelling. Mr. Fulmer stated that his review letter makes it clear that the property owner is responsible for the costs associated with this modification.

MOTION: Upon motion by Mr. Hilferty, seconded by Mr. McComb, the Board unanimously approved the proposed conservation easement modification shown on the Bursich Associates for TMP #34-018-029 subject to wynn Associates Review letter dated February 3, 2023.

10.2. Water Connection Request for TMP #34-010-009: Ms. Benner stated that Mr. Umstead is requesting a water connection for his proposed duplex.

MOTION: Upon motion by Mr. Hilferty, seconded by Mr. McComb, the Board unanimously authorized TMP #34-010-009 to connect to Public Water.

10.3. Bromms Lullaby Farm – Pipe Storage Request: Ms. Benner stated that as part of the NWWA Interconnection project a place to store the materials for the project is needed and added that Bromms is willing to allow the pipe storage to take place on their property. Ms. Benner added that the Bromm property is in the RO zoning district, where outdoor storage is not a permitted use, however, the C7 municipal use is permitted, and this use includes “water supply facilities” and “temporary municipal uses” and as a provision that was part of the omnibus ordinance presented earlier on this agenda, that allows the Board of Supervisors to waive zoning requirements for activities involving municipal uses which would include temporary outdoor storage for activity associated with public utilities/improvements.

MOTION: Upon motion by Mr. Bankos, seconded by Mr. Hilferty, the Board unanimously authorized the issuance of a temporary municipal use zoning permit for outdoor storage associated only with the public water transmission line project in conjunction with NWWA and valid for a period of 1 year from the date of issuance.

10.4. Bucks County Senior Games – Waiver of Rental Fee Request:

MOTION: Upon motion by Mr. Hilferty, seconded by Mr. Lichtenstein, the Board unanimously approved the waiver of the \$100 rental fee for the Bucks County Senior Games.

10.5. Resolution #2023-08: Destruction of Records: Ms. Benner stated that we need to shred the 2019 rental inspection records to make room for the 2023 rental inspection records.

MOTION: Upon motion by Mr. Hilferty, seconded by Mr. Bankos, the Board unanimously approved Resolution #2023-08 to authorize disposal of records as set forth in the PA municipal records manual.

10.6. Authorization to place the following Police Vehicles on Municibid:

MOTION: Upon motion by Mr. Bankos, seconded by Mr. Hilferty, the Board unanimously authorized the 2014 and 2015 Ford Police Interceptor Sedans to be placed on Municibid.

10.7. Committee Appointments: Ms. Benner stated that the Township received a statement of interest for Nicole Chuliy for the P&R Board and from Aaron Gottshall for the Veterans Committee. Ms. Chuliy was in attendance and expressed her interest to serve on the Park and Recreation Board.

MOTION: Upon motion by Mr. Lichtenstein, seconded by Mr. Hilferty, the Board unanimously appointed Nicole Chuliy to the Park and Recreation Advisory Board and Aaron Gottshall to the Veterans Committee.

11. Consent Agenda:

11.1. Bills List Dated January 19, 2023 in the amount of \$448,975.40, subject to audit

11.2. Bills List Dated February 14, 2023 in the amount of \$250,983.73, subject to audit

11.3. Minutes of Meeting of January 10, 2023

- 11.4. **Fire Police Request for Dublin Borough's Community Day on June 3, 2023**
- 11.5 **Authorization to execute Sewage System Maintenance Agreement for TMP #34-003-067**
- 11.6. **Approve and execute Inspection Fee Escrow Agreement for Holly Ridge Subdivision**
- 11.7. **Approve and execute all Holly Ridge Subdivision Land Development documents**

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

12. Board of Supervisors Comments:

Mr. Bankos shared concern that residents of Cabin Run have been having since BCWSA was in performing work on the sewer lines and with the smell coming from local farms. Mr. Bankos inquired if there was still a need for the emergency management committee if the Township Manager is working with all the Chiefs. There was discussion among the board about why the committee was created. Ms. Benner stated that she anticipates the emergency operations plan be updated later this year and that would be something the committee would meet about to discuss. Ms. Benner stated that the Chiefs are ok with having the committee meet on an as needed basis.

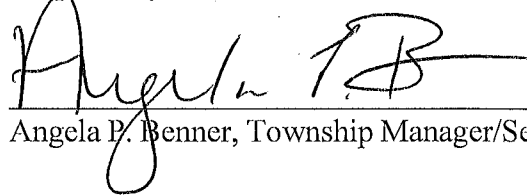
Mr. Bankos also asked if there could be an item on a future agenda to discuss the Township's EDUs. Ms. Benner stated that she agrees with his request and will work with staff to put together comprehensive information for when it is on the agenda. He also asked about the role of the Emergency Management Committee.

Mr. McComb stated that the recent Police Pension meeting went well and that there was a great presentation from Haverford that he forwarded to the Board.

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

14. Adjournment: Upon motion by Mr. Hilferty and seconded by Mr. Bankos, the meeting was adjourned at 8:43 p.m.

Respectfully Submitted,



Angela P. Benner, Township Manager/Secretary

Date Approved: 2/13/23