

Incorporated March 12, 1738

TINICUM TOWNSHIP

Bucks County

BOARD OF SUPERVISORS

163 Municipal Road
Pipersville, Pennsylvania 18947

JIM HELMS, CHAIRPERSON
JOHN BLANCHARD, VICE-CHAIRPERSON
RICHARD ROSAMILIA, SUPERVISOR

Tinicum Township Board of Supervisors Meeting Minutes March 3, 2020

Supervisors Jim Helms, John Blanchard and Richard Rosamilia were present with Township Manager Teri Lewis and Township Solicitor Steve Harris. There were approximately 12 people in attendance.

Chairperson Jim Helms called the public meeting of the Tinicum Township Board of Supervisors to order at 7:30 pm followed by the Pledge of Allegiance.

A. New Business

Bucks County Health Department Request:

Bucks County Department of Health requests permission to treat public, municipal/county properties for mosquitos, using a biological agent.

Motion: to authorize Teri Lewis Township Manager to send a letter of authorization to permit the Bucks County Health Department to treat municipal properties for mosquitos.

Motion by: Helms. **Second by:** Rosamilia. Voted upon and passed.

B. Regular Business

1) Minutes:

Motion: to approve the Minutes of the February 18, 2020 Board of Supervisor meeting as written.

Motion by: Helms **Second by:** Rosamilia. Voted upon and passed.

2) Treasurer's Report & Budget Recap:

The Treasurer's Report and Budget Recap for February will be available at the second meeting of the month.

3) Payroll Report:

Motion: to approve the Payroll Reports for the period ending February 5th in the amount of \$28,493.16 and February 19th in the amount of \$24,056.27.

Motion by: Rosamilia. **Second by:** Blanchard. Voted upon and passed.

4) Disbursements:

Motion: to accept the disbursements as listed below.

Motion by: Blanchard. **Second by:** Helms. Voted upon and passed.

General Fund	Amount	Memo
Keystone Municipal Services Inc	\$1,700.00	Bldg. Insp and Review Services
D. Skelton	\$137.63	Reimburse - Transformer (Heater)
Wehrung's	\$94.84	Building Maintenance Supplies
Service Electric Telephone	\$401.49	Telephone Service
NAPA of Ottsville	\$203.47	Police Fleet Parts
Sands Ford	\$256.24	Police Fleet Parts
Aflac Business Services	\$280.04	March Supplement Insurance withheld

Ricoh Americas Corp	\$308.00	Copier Lease
Internal Revenue Service	\$1,491.48	Employer FICA Tax
DelGuerico's	\$157.83	Trash and Recycle Removal
Verizon Wireless	\$223.63	Police Wireless
Univest VISA	\$291.48	VISA - Accounting Software Subscription & Domain
Help Now	\$711.53	Police Computer installation and programming
Uniform Gear	\$289.89	Police Uniform Supplies
Campbell Durrant Beatty Palombo & Miller	\$358.00	Legal Services
PennTeleData	\$180.22	Internet Modems
Keystone Municipal Services	\$1,479.00	Bld. Insp and Reviews
Allied Admin for Delta Dental	\$833.89	Dental Insurance
Payroll Fund	Amount	Memo
Payroll for pay period end Feb 14th	18207.9	Paychecks
Internal Revenue Service	4210.78	Employee FICA Tax
PA Dept of Revenue	738.52	PA Wage Tax
State Fund	Amount	Memo
Allan Myers	\$3,086.49	Stone
PPC Lubricants	\$1,142.36	Hydraulic Fluids Motor Oils Fleet Supplies
Plumstead materials	\$584.21	Stone
H & K Materials	\$400.62	Asphalt Patch
Escrow Fund	Amount	Memo
M2Associates	\$4,260.08	Professional Services
Groundwater Fund	Amount	Memo
Lennon's Small Jobs	\$202.69	downloads and batteries

C. Zoning/Planning

1) Zoning Ordinance Codification: Proposed Zoning Amendments

Tracy Tackett, Township Zoning Officer/Township Planner, presented an overview of 20 different Zoning Ordinance sections proposed to be amended either prior to, or as part of, the codification process. Many revisions were efforts to clarify, simplify, and/or correct inconsistencies. The Board discussed the following sections and made recommendations:

a) Section 600.3 Planned Industrial Area Regulations

Tackett said that the (PI) Planned Industrial Area Regulations establishes a maximum impervious surface of 20% for industrial parks, yet the maximum building lot coverage allowed is 25%. She proposed that the impervious surface be increased to 30% so the impervious surface allowed would be greater than the allowable building lot coverage. Tackett noted that the issue had been discussed and supported by the Tincum Township Planning Commission in association with the Spinio Sketch Plan. She noted that other permitted uses in the PI are allowed 40% impervious surface, but stated that 30% would be in keeping with the Township Comprehensive Plan.

Helms and the Board asked Tackett to go back to the Planning Commission with a recommendation for to increase the impervious surface to 30% in Planned Industrial.

b) E14 Service Station

Tackett said the E14 Service Station was listed in the table as a Special Exception, but listed as Conditional Use in the text. She said that the Planning Commission recommended Conditional Use because it puts the control with the Board with input from the Planning Commission.

Rosamilia asked Harris if he was recommending E14 Service Station remain as a Special Exception. Harris said yes, in his opinion, it should be Special Exception and be reviewed by the Zoning Hearing Board, rather than have a Conditional Use come before by the Board of Supervisors. Harris also noted the trend towards gas stations combined with convenience stores and suggested there be a separate section for that in the codification. Tackett said she agreed, but it was a complicated issue and would probably take time for the Planning Commission to work

on, thus delaying the codification. Harris said he thought it was worth the time. Helms asked about revising that section after codification. Tackett said it would become an immediate first amendment. Tackett said the topic/draft could be discussed at the next Planning Commission to determine if it would fit into the timeframe for codification. Helms said he could see it taking time and recommended they take a first look at it with the Planning Commission and then make the decision whether or not to include it in the codification.

Carl Ruthardt, Planning Commission member, said the Planning Commission was also considering including 1) time limits on Special Exceptions and Conditional Uses, and 2) watersheds in the codification.

- 2) Announcement: Zoning Hearing Appeal ZHB#01-2020 of Anita Jacobs and Gregory Seaton Jacobs
Helms announced that the variance sought for relief from front yard setback to allow the construction of storage barn encroachment was denied.

D. Public Works / Roads and Bridges

- 1) Public Works Mower and Trailer Purchase Discussion

Skelton said that funds had been budgeted for the purchase of a new mower and trailer to be used to mow the Township buildings grounds and the two Township parks. He said he visited five different dealers in the area and that three of the dealers participated in the Pennsylvania Co-Stars Program, which would save the Township approximately \$2,000 to \$3,000 on the purchase. Skelton said that all the models under consideration were priced below the \$11,300 threshold set by the state. He recommended the purchase of a commercial-grade Kubota mower, priced at \$8,808.88 [after the Co-Stars discount], from Eagle Power in Doylestown, and a Cotner trailer, priced at \$1,999.00 from Cotner Trailers Inc. in Revere.

Helms asked Skelton if he had explored used mowers. Skelton said he had looked at a mower at the Pipersville Garden Center that had 2,000 hours on it, but said he was not comfortable with the length of the warranty. He said the new Kubota mower had a 5-year warranty.

Rosamilia asked if a smaller machine would be an option. Skelton said that it would be worth considering. He said they had time, because in order to take full advantage of the warranty, he would delay delivery on a mower until it was closer to mowing season.

The topic was tabled for the next meeting.

- 2) Resolution for Tree and Hazard Removal

Lewis said that there were situations in which shrubs and trees must be removed because they constitute a hazardous condition or prevent/impair the use or maintenance of a public road. She said that the resolution enables the Township to notify the property owner, in writing, to remove the tree or shrub within a given period of time. Lewis said if the property owner does not comply, the Township will remove the shrub or tree and charge the cost of the removal to the property owner.

Motion: to approve Resolution 030320.01 Tree and Hazard Removal.

Motion by: Rosamilia. **Second by:** Helms.

- 3) Headquarters Road Bridge Correspondence

Helms stated that the Bucks County Commissioners [Diane Ellis-Marseglia, Gene DiGirolamo, and Robert Harvie, Jr.] office had sent correspondence to Governor Wolf concerning the Headquarters Bridge requesting advocacy to move the project forward. He said it was unfortunate that the Township was not copied on the letter and some of the information was somewhat lacking. Helms said that the Board has had a clear and consistent message that they are willing to take a one-lane, two-lane, or rehab the bridge, as long as the Township did not have to take ownership, which was not expressed in the letter.

Rosamilia said the letter stated everyone should come to the table to talk to PennDOT and Riverkeeper. He said previously a Riverkeeper representative had requested a meeting with PennDOT and RiverKeeper engineers, it was arranged, and then the RiverKeeper refused the

meeting. He said he did not know how they can force the RiverKeeper to have meeting if they refuse.

Rosamilia said another concern was that the letter could be interpreted as if the Township was party to the lawsuit [against PennDOT]. He said that the Board should respond and present all the facts. Rosamilia said he was disappointed that the Commissioners did not do their homework to bring the facts of the background of this issue into the correspondence.

Tim Cashman, Quail Lane, said he had written to all the Commissioners and in the response, he received an email response from Ellis-Marseglia, in which she stated that it was not in her jurisdiction to comment on the bridge and yet she had signed the letter to the Governor.

Helms said that the Township and residents want the help, but it is counterproductive if we were not all on the same page. He said he wanted them to get the facts and understand the Township's position.

Cashman said that for the past 9 years the RiverKeepers seek the attention but do not help. He said he had received a letter about the Golden Pheasant Bridge being built so quickly. Rosamilia said that the contractor for the Golden Pheasant bridge said they did not have to replace the abutment and piers. Rosamilia said, unfortunately, the abutments and piers on the Headquarters Bridge must be replaced. He said PennDOT's engineers said the pier could not be rehabilitated. Cashman said they are called "RiverKeepers," but for the last 9 years everyone has been driving through the creek on Municipal and the RiverKeepers are not concerned about that. He said they should be concerned about the waterway, but are only concerned about the bridge. Cashman said it would be better for the creek if the center abutments were removed.

Rosamilia said that Lewis had received some preliminary plans from Ryan Whittington, PE PennDOT Project Engineer, for the bridge and he was optimistic that they might start construction in the summer. Lewis said that Urban Engineers were working on their permits for the floodway and are moving forward. Rosamilia said he thought PennDOT was trying to get everything lined up, but if the project is held up by the judge it is beyond everyone's control. He said Lewis should ask PennDOT to present the plans to the Township in a public meeting, prior to it going out for bid/procurement, so that the public could ask questions.

Mary Pucci, Headquarters Road, asked if the plan was for one- or two-lane bridge. Rosamilia said it was for a two-lane bridge. He said PennDOT will not do a plan for one-lane bridge unless the Township agrees to maintain it.

Helms asked about the status of the case. Harris said it is not on the docket. Cole said that the 2-lane bridge design is still a narrow 2-lane bridge. Rosamilia said that was correct, it was narrower but met the federal guidelines for federal funding. He also said that it would not be a "jersey-barrier type" bridge. He said that the Township had demanded it fit with the character of the Township and have stone on the inside and the outside.

E. Land Development: SK01-2020, 44-001-022-002, 31 Creamery Road

- 1) SK01-2020 is a preliminary sketch plan for the development of a wedding venue at 31 Creamery Road. The property is zoned (C) Commercial and the Use, E9 Entertainment, is permitted in the Commercial district. The applicants were seeking feedback and consideration from the Board of Supervisors.
 - a. Overview: Applicants/Property Owners Zach Tretton and Margaret Baldwin, Dan Lyons, and Rob Cunningham, Holms Cunningham Engineering, were present and provided the following overview of the Land Development Sketch Plan SK01-2020:
 - The concept is to provide a rural, farm-like setting for weddings.
 - The proposal includes the conversion of the existing, non-conforming barn to be used as a wedding venue.
 - A proposed outdoor patio with walkway to the parking area would be installed.
 - The venue would accommodate a maximum 175-person capacity per wedding.

- A stone/gravel parking area for 51 parking spaces, plus a grass overflow area would be installed and a shuttle service would be provided.
- A new sand mound septic system would be installed.

Tackett provided additional information regarding statements made by the applicants:

- No onsite kitchen, all food would be catered and prepared offsite.
- Events would end at 10 pm.
- Only weddings would be held, no other types of events.
- 175 maximum attendees.
- Events would be held April through November.
- 2 to 3 events per week.

- b. Parking: Cunningham said the property is close to route 611. He stated that the land development is primarily to construct a parking lot. He said it was an Entertainment Use parking requirement based on capacity and square footage. Cunningham said that the ordinance required paved parking lot, but felt it would be a better fit with the property esthetics if it were gravel or some other alternate parking material.

Rosamilia asked if the parking would be sufficient. Cunningham said they had reduced the number of parking spaces from 75 – 80 spaces because it began to look like a commercial parking lot instead of a farm. He said they would use a shuttle service to take guests from local hotels to reduce the number of cars. He said they wanted a grass overflow parking lot. Cunningham noted it would require a variance.

Helms asked if the ordinance require the parking area to be paved. Tackett said yes, but a waiver could be granted. She said she did not know if there are other alternatives to gravel, but possibly they could use open pavers that would help keep the ground stable but allow grass to grow through. Tackett said that parking on grass over time becomes impervious as it becomes packed down. Cunningham said that they may size the stormwater facility to anticipate that impact in the future.

John Cole, Planning Commission member, said he was concerned about the parking and thought that 4 people per car is greatly under estimating the number. He said the overflow parking, it rains a lot and parking on grass is not realistic it will be mess. He asked where is shuttle coming from and it would work. Cole said that overflow parking would end up on Creamery Road. He said 2 per car was a more realistic with 80 spots.

Blanchard asked about the distance between road and the proposed parking. Cunningham said it was about 300 feet and would meet PennDOT sight line standards. He said it was a 25-mph road. Blanchard said he was concerned about the sight line from the peak of the hill. Cunningham said they would have to go through the PennDOT process.

- c. Septic: Cunningham said they would need a new, standard, sandmound septic system, but the only viable location was 50 feet from the Tohickon Creek, which did not meet the required 150 feet from a stream as required by Zoning, and would require relief. He said the size/capacity meets with the County 50 times a year use. Helms noted that there was no alternative septic. Cunningham said that the location was the only location that perced.
- d. Water: Helms asked about the water consumption and well testing. He said it was a concern that large events would use a lot of water and might impact the neighbors. Cunningham said they knew a study would be required and had talked about slowly pumping and holding in between events.
- e. Lighting: Sue Walsh, Gruver Road, asked about lighting. Cunningham said they were thinking of low-level pedestrian lights, not tall parking lot lights.
- f. Board Response: Helms said the biggest things would be working through the parking issues and the water. He said while there was a lot of work to done, but they seemed to be on a good path.

Cunningham said they wanted to know if the Township was receptive to going in a direction that did not require a variance, otherwise they would pursue the variance. Rosamilia said the Board would need time to consider the information.

F. Executive Sessions

Helms recessed the regular meeting at 8:50 pm to discuss matters of land acquisition and potential litigation. Helms called the meeting back to order at 9:16 pm. There was no action to report.

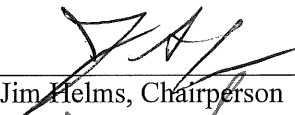
G. Adjournment

Motion: to adjourn the meeting at 9:17 pm.

Motion by: Blanchard. **Second by:** Rosamilia. Voted upon and passed.

The next meeting of the Board of Supervisors is scheduled for March 17th, 2020 at 7:30 pm.

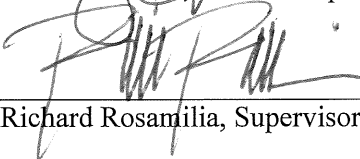
TINICUM TOWNSHIP BOARD OF SUPERVISORS



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John Blanchard, Vice-Chairperson



Richard Rosamilia, Supervisor