

**WRIGHTSTOWN TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF REGULAR MEETING OF JULY 16, 2007**

The Wrightstown Township Board of Supervisors met on Monday, July 16, 2007 in the Meeting Room of the Township Municipal Building, 2203 Second Street Pike, Wrightstown, Pa. The Meeting was called to order at 7:30 P. M. by Chair Chester S. Pogonowski. In attendance were: Vice Chair Jane B. Magne, Member/Treasurer Robert S. Lloyd, Township Engineer Mario Canales, Township Solicitor Susan Piette and Township Administrator Eileen M. Bradley.

Minutes of Meetings held on July 2 and July 9, 2007 were accepted as presented.

APPROVAL OF BILLS: *On motion of Ms. Magne, seconded by Mr. Lloyd and approved by all Members present, Bills in the amount of \$139,054.83 were approved for payment. On motion of Ms. Magne, seconded by Mr. Lloyd and approved by all Members present, Escrow Bills in the amount of \$53,786.05 were approved for payment.*

ANNOUNCEMENTS: Mr. Pogonowski stated that the Board had met in Executive Session just prior to this evening's meeting to discuss a personnel issue where no decisions were made.

Ms. Magne announced that a second Swamp Road Improvement Project Open House was scheduled for Tuesday, August 7, 2007 in the Gallagher Room of the Bucks County Community College from 6:00 to 9:00 p.m. to present changes to a preliminary plan for improvements to the Swamp Road corridor in Newtown and Wrightstown Townships.

REPORTS: Mr. Canales submitted the Engineer's Report for June, 2007, adding that the guard rails for the Cherry Lane Bridge would be installed on Wednesday, July 18, after which the road would be opened. Mr. Pogonowski also accepted the Lingohocken Fire Company Report for June, 2007.

SOLICITOR'S COMMENTS: Szarko Zoning Hearing Appeal: Ms. Piette reported that Szarko Builders, Inc. had appealed the decision of the Wrightstown Zoning Hearing Board to the Bucks County Court of Common Pleas. There was no public comment at this time. *On motion of Mr. Lloyd, seconded by Ms. Magne and approved by all Members present, Ms. Piette was directed to intervene on behalf of the Township.* The interveners on the Zoning Hearing were

strongly urged to seek the advice of their own legal counsel to protect their individual rights.

PUBLIC HEARING: Ordinance: Zoning Amendment 2006-06:

Accessory Winery: *There being no public comment, on motion of Ms. Magne, seconded by Mr. Lloyd and approved by all Members present, Ordinance #255, Zoning Amendment #2006-06, establishing requirements for public or retail uses accessory to an agricultural vineyard and winery, was adopted.*

Ordinance: Zoning Amendment 2006-20: Zoning Map Change QA to QA-A and Fireworks: *There being no public comment, on motion of Mr. Lloyd, seconded by Ms. Magne and approved by all Members present, Ordinance #256, Zoning Amendment #2006-20, establishing the creation of a new Zoning District, Quarry/Agricultural-A (QA-A), rezoning a portion of Wrightstown Township from QA to QA-A, permitting sales of certain consumer fireworks as a Conditional Use within the QA-A District, was adopted.*

Ordinance: Zoning Amendment 2007-01: Corrections to QA: *There being no public comment, on motion of Ms. Magne, seconded by Mr. Lloyd and approved by all Members present, Ordinance #257, Zoning Amendment #2007-01, amending Section 703.B, area and dimensional regulations within The QA Zoning District and providing regulations for permitted uses within QA that are not Quarry related, was adopted.*

There was no public comment at this time.

UNFINISHED BUSINESS: Howes Tract Stipulation: Mr. Pogonowski stated that no communication had been received from the Council Rock School District regarding a proposed amendment to the Stipulation Agreement for the Howes Tract.

Members of the audience wishing to make public comment on this issue included: Mr. Ron Kazar of Newtown Township; Mrs. Ruth Brown of Stoopville Road; Ms. Gail Shaar-Raab of Newtown Township; Mrs. Edythe Shapiro of Durham Road; Mrs. Jackie Kazar of Newtown Township; Mr. John Rasiej of Cedar Lane; and Mr. Le Sheppard of Durham Road.

Topics included: criticism of contents of minutes and their availability to the public; the possibility of televising Work Session and Planning Commission meetings; traffic impact studies

related to two schools at the Howes Tract; public sewer and water installation for the schools; lighting; and bus parking.

The Board would investigate ways of getting meeting information out to the public. There were no plans presently to televise Work Sessions or Planning Commission meetings. Mr. Lloyd and Mr. Pogonowski informed the residents about the proposed installation of a traffic signal at Stoopville Road and the school driveways. Ms. Magne added that the need for a long-term study would be unlikely since a traffic study had been completed recently by Toll Brothers, Inc., in conjunction with the Chapman Corners proposed development.

Mr. Pogonowski reiterated that new school buildings in the future might be unlikely due to enrollment projections and that the School District could sell the property at any time.

PUBLIC HEARING: Bucks County Foodshed Alliance at Wrightstown Elementary School Conditional Use: Mr. Pogonowski opened the Bucks County Foodshed Alliance at Wrightstown Elementary School Conditional Use Hearing. Appearing for the Applicant was Mrs. Robin Hoy, President. The Applicant proposed to hold a farmer's market at the site of the Wrightstown Elementary School on August 11 and 18, September 8 and 15, and October 6; dates that it could not be held at the Middletown Grange due to conflicting schedules. A stenographic record of the proceedings was taken by Bucks County Court Reporters.

Ms. Magne recused herself from deliberation and voting as she is a member of the Board of Directors of the Foodshed Alliance.

Mr. John Moyer of Wooley Run Road asked if the farmer's market would increase traffic in the area. Mr. Pogonowski indicated that this use existed at the Grange, along with similar uses, which did not have a detrimental effect on the neighborhood.

By motion of Mr. Lloyd and seconded by Mr. Pogonowski, Ms. Piette was instructed to draft a decision for consideration on August 6, 2007. The motion passed on a vote of 2 to 0, Ms. Magne abstaining.

UNFINISHED BUSINESS: Dumack-Hollyleaf Minor Subdivision Preliminary/Final Plan: Appearing for the Applicant were: Mr. Don Marshall, Esquire and Mr. Heath Dumack, owner. The Applicant proposed to subdivide a 5.2 acre parcel into two lots:

one new building lot; and one lot consisting of an existing non-conforming office business and accessory garage apartment. Mr. Marshall indicated that the Applicant would comply with all items in all review letters.

Ms. Magne asked that the Applicant agree that no more than two persons would occupy the garage apartment, to which he agreed. A walking path or trail along the Durham Road frontage would not be opposed by the Applicant.

There being no public comment at this time, on motion of Mr. Lloyd, seconded by Ms. Magne and approved by all Members present, Resolution #2007-068, setting the terms and conditions for Final Approval of the Dumack-Hollyleaf Minor Subdivision, was approved.

NEW BUSINESS: Toll/Hibbs Chapman Corner Major Subdivision Final Plan: The Toll/Hibbs Chapman Corner Major Subdivision Final Plan was tabled at the Applicant's request during the meeting, at which the Applicant had arrived, but left without addressing the Board. Discussion would be rescheduled for August 6, 2007. Ms. Piette was requested to advise the Applicant of the schedule and required appearance.

Mr. John Fowler of Wrightstown Road questioned the relevance of discussing the Toll/Hibbs Chapman Corner Development Plans at this time since the Applicant withdrew appearance. He also inquired of Mr. Canales about PECO utility cuts on Wrightstown Road. Mr. Canales noted that his office continued to work with Toll Brothers to resolve the faulty repairs. Mr. Fowler also requested a "hidden driveway" sign at the entrance to his property.

Mr. Pogonowski addressed issues that differed from the original Stipulation Agreement: traffic light installation timing and financial responsibility; buffering of adjoining properties; a change from a drip irrigation community septic system to a stream discharge system;

Mr. Fowler asked if the Township could mandate testing of adjoining wells for arsenic. Mr. Pogonowski noted that Toll Brothers had fulfilled their testing requirements.

Mr. Thomas Coyne of Worthington Mill Road requested more notice when an issue would be placed on the public agenda.

Mrs. Debbie Meyer of Stoopville Road asked if Toll Brothers should delay construction of the proposed subdivision, could they come back and ask for another stipulation amendment. Mr. Pogonowski replied that they could always return with requests.

Zoning Amendment 2006-02: Accessory Contractor: *On motion of Ms. Magne, seconded by Mr. Lloyd and approved by all Members present, Zoning Amendment #2006-02: Accessory Contractor was approved for advertisement.*

Zoning Amendment 2006-05: Accessory Agricultural Sales: *On motion of Mr. Lloyd, seconded by Ms. Magne and approved by all Members present, Zoning Amendment #2006-05: Accessory Agricultural Use was approved for advertisement.*

Mr. Pogonowski called for public comment.

Mr. Coyne requested a ban on the use of engine speed retarders, or "jake brakes". Mr. Pogonowski replied that the issue had been discussed many times but that the Board would not prohibit use of a safety feature.

Mrs. Ruth Brown requested copies of Minutes be available for the public prior to the start of a meeting.

There being no further business or comment to come before the Board, the Meeting was adjourned at 10:10 p.m. on motion of Mr. Lloyd, seconded by Ms. Magne and approved by all Members present.

Respectfully submitted,

Eileen M. Bradley,
Administrator

Ord. #255
Ord. #256
Ord. #257
Res. #2007-068