

WRIGHTSTOWN TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF MEETING OF February 16, 2004

The Wrightstown Township Board of Supervisors Meeting was called to order at 8:05 p.m. by Chair Chester S. Pogonowski. In attendance were Vice-Chair Jane B. Magne, and Member/Treasurer Allen G. Masenheimer. Also in attendance were Township Solicitor Susan Piette, Esquire of Terry W. Clemons and Associates and Township Administrator Eileen M. Bradley.

The Minutes of the Board of Supervisors Meeting of February 2, 2004 and Work Session Minutes of February 9, 2004 were accepted as presented.

Ms. Magne made a motion, seconded by Mr. Masenheimer, to approve bills dated February 16, 2004 in the amount of \$97,974.12. All were in favor. Ms. Magne made a motion, seconded by Mr. Masenheimer, to approve Escrow Bills dated February 16, 2004 in the amount of \$7,904.06 for payment. All were in favor.

REPORTS: State Representative Scott Petri presented his quarterly legislative report. Mr. Petri was active in seeking assistance from PADOT to address serious road safety conditions in the past few weeks, as well as working toward a better response time in responding to road maintenance complaints. Additionally, another regional traffic planning meeting was being arranged.

Mr. Petri announced that on March 12, 2004 from 10:00 a.m. to 2:00 p.m., a Senior Citizen Expo would be held at the Spring Mill Manor in Northampton Township. Attendance was free for Senior Citizens.

A Regional Watershed Planning Meeting was tentatively scheduled for April 10, 2004 at Bucks County Community College. The meeting, sponsored by Heritage Conservancy and Pennsylvania Environmental Council, would present the Neshaminy Watershed Plan. Mr. Petri and Ms. Lynn Bush of the Bucks County Planning Commission were attempting to schedule a meeting to discuss watershed planning and the Clean Streams Act. The Clean Streams Act would allow municipalities to control the quantity of stormwater runoff as well as the velocity.

Mr. Pogonowski asked if the Regional Watershed Planning Bill sponsored by Representative Dave Steil had been passed by the House of Representatives. Mr. Petri noted that Mr. Steil was

negotiating acquire enough votes for passage of the bill during this legislative session.

The following additional Reports for January 2004 were submitted: the Lingohocken Fire Company Report; the Treasurer's Report; District Justice Fines of \$2,076.00.

SOLICITOR'S COMMENTS: D'Amato Zoning Violation: Ms. Piette said that a settlement had been reached at the District Court in the D'Amato Zoning Violation hearing. Mr. Louis D'Amato had agreed to provide accurate grading and site plans to the Township within 30 days. The Stipulation would need to be executed by the Board.

Mr. Masenheimer wanted to know the process if plans were not received before the 30-day deadline. District Justice Nasshorn instructed Mr. D'Amato that the maximum fine would be indicated for non-compliance. Mr. Masenheimer made a motion, seconded by Ms. Magne, to approve the settlement agreement. All were in favor.

Pastorek Zoning Hearing: Ms Piette stated that the Wrightstown Zoning Hearing Board had granted a Use Variance with conditions for a commercial use for a property on Penns Park Road under agreement with Mr. and Mrs. David Pastorek, who wish to operate a landscaping business at the site.

Mr. Pogonowski noted that there was a 30 day period in which the Township or Mr. Pastorek could appeal the Zoning Board's decision.

Mr. Greg Deeken of Penns Park Road asked if further conditions could be imposed if the Township appealed the decision. Mr. Pogonowski answered that he was not sure if there were legal grounds for an appeal. There was additional risk in losing conditions already imposed by the Zoning Board. The Township currently had the ability to address some issues when the Pastorek's came in for land development on the property. The Pastoreks also had the right to appeal the decision to attempt to remove conditions. Some residents also had the right to appeal the decision.

Mr. Deeken also had concerns about truck traffic. Mr. Pogonowski said that the Township had no restrictions on hours of operation. Mr. Deeken was worried about no well protection

for his property once the commercial enterprise was established. Mr. Pogonowski answered that the Zoning Board did not set a condition for a well protection agreement. Mr. Pogonowski said that the Board would discuss appeal options at the next Work Session.

There was no public comment at this time.

ROADMASTER/ROAD FOREMEN: A letter had been received from PADOT indicating that the speed limit on Rushland-Jamison Road would be reduced from 50 to 40 miles per hour from Almshouse Road to Swamp Road as the result of a second PADOT study.

UNFINISHED BUSINESS: Wrightstown Elementary School Land Development Plan: Appearing for the Applicant were: Mr. Jack Pinheiro, Transportation Director for Council Rock School District; Mr. Mark Eisold and Mr. Francis Chan of Boucher & James Engineering.

Mr. Pinheiro said that new lighting had been designed with three zones and an agreement was being worked out for a drainage easement on the adjoining Willard property. The School District had two solar powered flasher units that they would provide to be installed at the new location.

Mr. Pogonowski asked if a natural drainage swale on the Willard property would be better than a culvert and pipe. Township Engineer Mario Canales said that installing a pipe would disturb the existing trees and extend the area of disturbance to a larger portion. A natural swale would disturb less earth and trees, as well as allow stormwater infiltration.

Ms. Piette said there was some discussion as to who would maintain the swale. Mr. Masenheimer said that Council Rock School District had agreed to maintain it. Mr. Pinheiro concurred.

Mr. Pogonowski asked if a fourth lighting zone could be added to the parking lot. Mr. Pinheiro agreed to add a fourth zone for the lights on the far left of the parking lot. Mr. Masenheimer asked about traffic patterns at the library. Mr. Pogonowski suggested removal of a "No Right Turn" at the right end of the parking lot to allow traffic to exit to the Village Library. Additionally, "Do Not Enter" and "One Way" signage would be added to the exit driveway.

Mr. Masenheimer made a motion, seconded by Ms. Magne, to approve Resolution #878, approving the Wrightstown Elementary School Land Development Plan, subject to a clean engineering review. All were in favor.

NEW BUSINESS: Proposed Joint Municipal Zoning Ordinance

Amendment: 2004-07: Lighting: Mr. Pogonowski said that Wrightstown Township was asked to consider a proposed amendment to the Joint Municipal Zoning Ordinance (JMZO) regarding lighting. The proposed ordinance provided criteria for new exterior lighting installation throughout all zoning district. Residential standards would be outlined in each community's subdivision ordinance.

Mr. Masenheimer suggested that photo cells be made mandatory as an energy saving feature. Mr. Pogonowski felt that the ordinance needed language that specifically directed residential developers to refer to the subdivision ordinance for residential criteria.

Ms. Magne made a motion, seconded by Mr. Masenheimer, to authorize Ms. Piette to send a letter to Jointure Solicitor, Mary Eberle, indicating the Board's desired changes to the proposed ordinance. All were in favor.

The following Letters of Extension were unanimously granted on a motion by Ms. Magne, seconded by Mr. Masenheimer:
Loeffler/Prime Properties Minor Subdivision Preliminary Plan to May 31, 2004; Picard/Prime Properties Minor Subdivision Preliminary Plan to May 31, 2004; Datesman Major Subdivision Preliminary Plan to May 31, 2004; Reshetar/Park Avenue 10-Lot Major Subdivision Preliminary Plan to April 30, 2004.

There being no further business or comment, Mr. Masenheimer made a motion, seconded by Ms. Magne, to adjourn the meeting at 9:20 p.m. All were in favor.

Respectfully Submitted,

Eileen M. Bradley
Township Administrator

Res. #878