

**WARWICK TOWNSHIP**  
Board of Supervisors' Public Meeting Minutes  
**February 16, 2016**

Members Present: Judith A. Algeo, Esq., Chair  
John W. Cox, Vice Chairman  
Edward P. Thompson, Member

Others Present: Gail V. Weniger, Township Manager  
Mary Eberle, Township Solicitor  
Michele Fountain, Township Engineer  
Catherine Topley, Recording Secretary

■ **CALL TO ORDER:**

The Warwick Township Board of Supervisors' February 16, 2016 public meeting, held at Warwick Township Administration Office, 1733 Township Greene, Jamison, PA., was called to order at 7:00 p.m., by Judith Algeo, Chair, who then led attendees in the pledge of allegiance.

■ **APPROVAL OF MINUTES:**

⇒ Monday January 18, 2016

**Motion by Mr. Cox to approve the January 18, 2016 Board of Supervisors' Meeting Minutes as submitted.**

**Second to motion by Mr. Thompson**

Chair Algeo invited comment or discussion. There being none, the vote was called.

**Motion passed unanimously**

■ **EXECUTIVE SESSION**

The Board of Supervisors' met in executive session prior to this evenings meeting to discuss matters of litigation and real estate.

■ **ANNOUNCEMENTS:**

None

■ **CITIZEN COMMENT:**

None

■ **MANAGER'S REPORT:**

*At this time Chair Algeo turned the meeting over to Vice Chair Cox noting her conflict due to employment.*

⇒ LD 11-02: Warwick Mill – Preliminary/Final Plan Approval

Ms. Weniger, Township Manager gave a brief over view of the project:

Warwick Mill is 24.78 acres located at 1612 School Lane which is proposed to become a B3 performance subdivision featuring 40 residential homes. The plan will be served by public water and sewer and requires your approval of Resolution 2016-16, the Sewage Planning Module.

The application is subject to the Zoning Hearing Board decision dated February 10, 2012 and the stipulation agreement dated July 20, 2015. The stipulation comes with a 120-day deadline for Land Development approvals which will be March 11, 2016. If the Board of Supervisors does not grant preliminary/final approval tonight, an extension of that timeline will be needed from the applicant.

The final version of the plan requires a number of waiver requests noted on the Van Cleef Engineering Waiver request letter dated January 7, 2016.

The Plan has gone through five years of development and approvals and was finally recommended for preliminary/final approval at the February 3, 2016 Planning Commission meeting with conditions.

Corridor overlay design renderings will also be presented tonight for your consideration.

The applicant's representative, John VanLuvanee, is here to review outstanding items.

Mr. VanLuvanee feels that the biggest issue regarding the Corridor Overlay District (COD) is the lighting, if they comply with SALDO they would have 54 street lights and they believe that is too much. The new plan shows 17 street lights. They are approximately 150-200 ft. apart which is in line with the adjacent development. Mr. Cox and Mr. Thompson are not opposed to the proposed 17 street lights.

The applicant projected renditions of the types of houses to be built, showing the COD materials and options for the fronts of the houses. Mr. Thompson asked about the fences as residents have complained in the past of people not maintaining them. Mr. VanLuvanee stated that there will be a homeowners association that will oversee the upkeep. It was also noted that the fences are a requirement for the village style housing.

Ms. Eberle, Township Solicitor, reminded the applicant that they will need to be in compliance with the Village House architectural characteristics as required under the B3 use in the zoning ordinance. Mr. VanLuvanee stated that at least two would be represented as needed and would show on the design each time a building permit was applied for.

A discussion ensued regarding a fee-in-lieu of for Mill Road. Ms. Eberle, stated that paragraph five (5) of the Settlement Stipulation states that "except otherwise set forth in Section 6 hereof, Land owner shall not be required to pay any "impact fees" to the

Township, regardless of whether such fees are presently required under the Zoning Ordinance, the SALDO, the Township Fee Schedule, or any other Township requirement, and regardless of any subsequent amendments to the Zoning Ordinance, SALDO, Township Fe Schedule or any other Township requirement.”.

Mr. Thompson stated that he would like to see a pre-construction survey done of Mill Road and a post-construction survey done and if there is any damage to the road then the applicant would be responsible to fix those items. Michele Fountain, Township Engineer stated that she would take care of this and suggested that the applicant also come along at that time. CKS usually does this by video.

Mr. Thompson asked about the time line for the completion of the School Road Bridge. Ms. Eberle stated that the settlement stipulation states that the replacement of the existing bridge shall be within 18 months of the date of execution of the development agreement. A discussion ensued regarding the “weight limit” for the bridge. Right now it is set to be rated as HS25, which covers up to 3 axels – 5 tons, 20 tons and 20 tons. The Board would like to make sure that the rating will accommodate emergency services vehicles and buses. They would like to know what the sign PennDOT will provide will say regarding weight limit. The applicant stated that they would find this out.

Mr. Cox asked if the tot lot will be part of the homeowners associations' responsibility, Mr. VanLuvanee stated that it would.

Mr. Thompson stated that regarding the trail that connects to township property, he has no problem with the homeowners association being responsible for the trail but does not want them to be able to cut off access because they don't want people that don't live there to use it. Ms. Eberle stated that the Township can put an easement in place to keep that from happening.

**Motion by Mr. Thompson to approve for Preliminary/Final Approval the Warwick Mill Land Development pursuant to the following:**

- 1. Compliance with, Village House architectural characteristics as required under the B3 use in the Zoning Ordinance shall be confirmed at the building permit stage.**
- 2. The Applicant shall conduct, or cause to be conducted, a pre-construction survey of Mill Rd. as well as a post-construction survey. All damage incurred between pre & post construction surveys shall be the responsibility of the Applicant and the timing of the repairs shall be at the discretion of the Township.**
- 3. The Applicant shall execute an easement to the Township over the pedestrian trails on the property.**
- 4. The Bridge over School Rd. shall bear a weight load of the greater of 1) HS25; or 2) the weight load necessary to accommodate fire company ladder trucks and school buses.**
- 5. Comply with the Staff review dated 1/20/16, excluding the fee-in-lieu of for Mill Road.**
- 6. Comply with the CKS Letter dated 1/27/17**
- 7. Comply with the BCPC letter dated 11/20/16**
- 8. Approval of all waivers in the Van Cleef letter dated 1/7/16**

**Second to motion by Mr. Cox**

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Vice Chair Cox invited comment or discussion. There being none, the vote was called.

**Motion passed unanimously**

⇒ LD 11-02: Warwick Mill – Sewage Planning Module Resolution 2016-16

Ms. Weniger stated that as the Land Development will be served by grinder pumps and a force main for sanitary sewer service it requires your approval of the Resolution.

**Motion by Mr. Thompson to approve Resolution 2016-16 Warwick Mill Sewage Planning Module.**

**Second to motion by Mr. Cox**

Vice Chair Cox invited comment or discussion. There being none, the vote was called.

**Motion passed unanimously**

⇒ LD 13-02: Bridges at Warwick – Revision to Final Plan

*This item was moved up as Mr. VanLuvanee was here on behalf of this applicant as well.*

Ms. Weniger, Township Manager gave a brief over view of the project:

The Bridges at Warwick is a land development located on Almshouse road near York road. The project, while substantially completed, is seeking a revision to the final plan to eliminate a requirement of the previous plan approval. Item no. 3 in the action letter dated November 2, 2015 reads:

"The applicant shall amend the Record Plan to reference any cross access and/or shared parking easement agreements. The Applicant shall provide executed cross access easement and/or shared parking agreements, in a form acceptable to the Township Solicitor."

The applicant is asking the Board of Supervisors to be relieved of this requirement and the plan submitted for your consideration, which has been reviewed by CKS, shows the parking scheme to eliminate this easement.

Mr. VanLuvanee was present to represent the applicant in this matter.

Mr. VanLuvanee explained that when this project first started the neighboring property asked if Basile would be able to accommodate them with some extra parking and Basile stated that they would try. Basile came up with a plan which the board has seen but then the neighbor decided that he wanted a 36 space parking area with 24/7 access and did not want to have to pay anything or provide any requested paperwork. So at this time the applicant is asking for the requested change to the recorded plan. The Board noted that this outcome is unfortunate as the parking is needed and was anticipated.

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**Motion by Mr. Thompson to approve the revision to the recorded plan as discussed this evening.  
Second to motion by Mr. Cox**

Vice Chair Cox invited comment or discussion. There being none, the vote was called.

**Motion passed unanimously**

⇒ LD 13-02: Bridges at Warwick – Settlement Stipulation for Zoning Hearing Board

Ms. Eberle gave a brief overview stating that the Township had appealed the Zoning Hearing Board decision regarding proposed signage on York Road. Following discussion an agreement has been reached between the Township, Zoning Hearing Board and Bridges at Warwick. This Stipulation and Settlement Agreement states that there will be no signage allowed on York Road but that Bridges at Warwick may erect a 36.75 sq. ft. monument sign at the location within the ultimate right-of-way of Almshouse Rd. approved by the Zoning Hearing Board in its Decision.

Ms. Eberle is asking for the Boards approval to execute the Settlement Stipulation Agreement.

**Motion by Mr. Thompson to approve Ms. Eberle, Township Solicitor to execute the Settlement Stipulation on behalf of the Township  
Second to motion by Mr. Cox**

Vice Chair Cox invited comment or discussion. There being none, the vote was called.

**Motion passed unanimously**

*Vice Chair Cox then turned the meeting back over to Chair Algeo*

⇒ LD 16-01: Warwick EMS Station – Preliminary/Final Plan Approval and Authorization to bid the project.

Ms. Weniger presented the project and gave a brief overview of the project:

The Permanent EMS building, which is a Township project, is located at 1501 Meyer Way Road. The project is in the VC-2 district with an E-2 (emergency services) use. John Evarts, of CKS Engineers, did the site design for the project and Matt Piotrowski, Architect, did the building design which was presented at a previous meeting. The elements for this project were discussed and decided over two workshop meetings in addition to the previous regular board meetings. The project was considered by the Planning Commission at its last meeting with a recommendation of Preliminary/Final approval.

The site plan was projected and reviewed. Ms. Weniger noted that there are six waivers are being requested for this plan:

1. Section 157-16.B (7) (n) – Requiring basin side slopes to be minimum of 4:1.
2. Section 157-16.B(7)(s) – Requiring one foot free board between the top of berm and the 100 water surface elevation surface elevation in the emergency spillway elevation and also requiring one foot of free board between the emergency spillway invert and the routed 100 year water surface elevation.
3. Section 163.33.I- Requiring sidewalks along Meyer Way, York Road and a portion of Meetinghouse Road consistent with waiver granted for Warwick Village Commons.
4. Section 163.39.C - Requiring a physically defined border along all parking areas, drives or access and circulation roads.
5. Section 163.51 – requiring street trees along existing streets
6. Section 163.51-3- requiring development plans to be in accordance with design requirements in the Corridor overlay district.

Ms. Weniger then reviewed the COD materials for the building. She stated that they are trying to match the building as closely as they can to colors of the Wawa. The roof chosen was slate gray. The stone on the building will be the same color as the stone on the Warwick Fire House. It was decided that the shutters should be the same color as the brick on the neighboring building.

Ms. Weniger then presented that the committee is optimistic that all parts of the bid document would be ready for an early March bid. In order to keep the project on its tight timeline, we are asking for permission to advertise the bid.

**Motion by Mr. Cox to approve LD 16-01 Warwick EMS Station for Preliminary/Final approval along with the granting of all requested waivers.**

**Second to motion by Mr. Thompson**

Chair Algeo invited comment or discussion. There being none, the vote was called.

**Motion passed unanimously**

**Motion by Mr. Cox to approve advertisement of the bid for the Warwick EMS Station.**

**Second to motion by Mr. Thompson**

Chair Algeo invited comment or discussion. There being none, the vote was called.

**Motion passed unanimously**

⇒ LD 05-08: Bass Letter of Default

Mr. Kyle Seckinger, Asst. Township Manager, explained that this is a small residential subdivision dating back to 2005 that has since been abandoned. The houses were completed in 2009. In 2009, CKS noted that there was still some work to be done. We are holding approx. \$10,000 in escrow for the Land Development. Mr. Seckinger spoke

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with the developer and he does not intend to complete the public improvements. Ms. Eberle noted that there is a confession of judgement provision in the Bass development agreement that would protect the township in the event that improvements were more costly than the escrowed amount. CKS noted recently that he has failed to plant some trees; there is settlement in some of the utility trenches and driveway aprons. Mr. Seckinger is asking for approval to send a letter of default to allow the Township to use the money held in escrow to complete these items as necessary. Ms. Eberle noted that the development agreement includes a confession of judgement in the event the escrow is insufficient to finalize the repairs.

**Motion by Mr. Cox to approve The Bass Letter of Default  
Second to motion by Mr. Thompson**

Chair Algeo invited comment or discussion. There being none, the vote was called.

**Motion passed unanimously**

⇒ Stop Sign Ordinance 2016-02 – Consider for Adoption

Mr. Kyle Seckinger, Asst. Township Manager, explained that this is an Ordinance of the Warwick Township Board of Supervisors, amending the Warwick Township code to establish stop sign intersections. This was prompted by the new stop signs installed along Meetinghouse Rd. after the Wawa project was completed. This amendment will update the Ordinance will all the stop signs currently installed in Warwick Township since the last time the Ordinance was amended.

**Motion by Mr. Cox to approve for Adoption Ordinance 2016-02 Stop Sign Ordinance Amendment.**

**Second to motion by Mr. Thompson**

Chair Algeo invited comment or discussion. There being none, the vote was called.

**Motion passed unanimously**

⇒ Bill Payments for 2/1/16 and 2/15/16

Ms. Weniger requested approval to pay the bills as listed in the Bill Payment registers below, subject to audit.

February 1, 2016

General Fund – FNB account # 103.000	Check Number	22783-22805	\$45,440.61
General Fund – TD Bank account #110.100	Check Number	11/23/1902	\$500.00
Park & Recreation Fund	Check Number	6755-6756	\$563.27
Capital Projects Fund	Check Number	1334	\$3,852.74
Firehouse & Equip. Fund	Check Number	347-348	\$15,189.71
Highway Aid Fund	Check Number	2568	\$6,151.36
Road Machinery Fund	Check Number	170	\$25,786.52
	<b>TOTAL</b>		<b>\$97,484.21</b>

February 15, 2016

General Fund – FNB account # 103.000	Check Number	22806-22849	\$137,282.13
General Fund – TD Bank account #110.100	Check Number	2/3/2015	\$22,410.88
Park & Recreation Fund	Check Number	6757-6761	\$2,385.54
Firehouse & Equip. Fund	Check Number	349	\$8,487.18
Highway Aid Fund	Check Number	2569	\$22,502.09
Road Machinery Fund	Check Number	171	\$28,383.49
Open Space Fund	Check Number	415	\$275.45
	<b>TOTAL</b>		<b>\$221,726.76</b>

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■ **OLD BUSINESS:** None

■ **NEW BUSINESS:**

Ms. Weniger stated that the Township is having a beaver problem off of Creek Rd. which is causing trees to come down. We would like your approval to hire a trapper.

**Motion by Mr. Cox to approve the hiring of a trapper to alleviate the beaver issue off of Creek Rd.**

**Second to motion by Mr. Thompson**

Chair Algeo invited comment or discussion. There being none, the vote was called.

**Motion passed unanimously**

Ms. Weniger explained that Bensalem Township has started a petition to amend or repeal the PA Sterling Act so as to allow up to one (1%) of non-resident Philadelphia Wage Taxes paid by Bucks County Residents to be remitted to the municipality in which such Non-Resident Taxpayers reside if that municipality has adopted and enacted an Earned Income Tax.

If the Board is in agreement, Ms. Weniger will circulate the petition

**Motion by Mr. Cox to approve the circulation of Bensalem Townships Petition regarding the PA Sterling Act.**

**Second to motion by Mr. Thompson**

Chair Algeo invited comment or discussion. There being none, the vote was called.

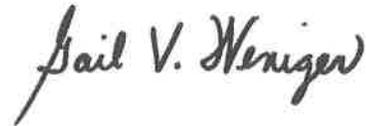
**Motion passed unanimously**

■ **PUBLIC COMMENT:**

■ **ADJOURNMENT:**

The February 16, 2016 Warwick Township Board of Supervisors' public meeting was adjourned at 7:56 p.m.

Respectfully submitted,



These minutes were approved at the Board of Supervisors' meeting held:

Gail V. Weniger