

**WARRINGTON TOWNSHIP BOARD OF SUPERVISORS**  
**MINUTES FOR JANUARY 8, 2008 MEETING**

The regular meeting of the Warrington Township Board of Supervisors was held on January 8, 2008, 7:30 p.m., at the Township Building located at 852 Easton Road, Warrington, PA 18976. The members present were as follows:

**1. ATTENDANCE:**

Paul Plotnick, Chairman; Carol M. Butterworth, Vice Chairman; Glenn McKay, Secretary; Michael W. Lamond, Jr., Assistant Secretary; Rebecca A. Kiefer, Member; Timothy J. Tieperman, Township Manager; Robert Sugarman, Esq.; Michael Mrozinski, Director of Planning and Economic Development; Fred Achenbach, Manager of Water and Sewer Department; Paul Gdanski, Director of Public Works; Thomas F. Zarko, Township Engineer; and Vivian Bell, Finance Director.

**2. PLEDGE OF ALLEGIANCE**

The meeting opened with a pledge to the flag.

**3. PUBLIC HEARING:**

a) **Consider adoption of an amendment to Chapter 27 (Section 411 of the Warrington Township Zoning Ordinance regarding Transferable Development Rights (TDR).** Mr. Sugarman said the purpose of the ordinance is to change the provisions for the availability of the TDR's and the terms on which they can be used. He said the purpose of the hearing is to obtain any comment from the public after which the Board may consider the ordinance for enactment.

Mr. Ken Kugel said Warrington Township has had transferable development rights ordinance since 1985. He said all of the time this ordinance has been used to settle laws suits. This ordinance applies mostly to landowners who have more than 5 acres but it also applies to people who have a historic property that's been recognized by the Township Historic Commission, and also people who have sub-standard parcels like down on Philadelphia Avenue.

Motion – It was moved by Mrs. Butterworth, seconded by Mr. Plotnick, that the Board of Supervisors adopted an amendment to Chapter 27, Section 411 of the Warrington Township Zoning Ordinance regarding Transferable Development Rights (TDR) in order to promote the preservation of land for use as open space, trails, scenic vistas, agriculture, nurseries, forests, wetlands, flood plains, riparian buffers, natural wildlife areas, and historically significant sites; to manage the residential and commercial growth through the transfer of development rights (TDR); to benefit landowners who will be able to accrue development rights for transfer or sale to other landowners in the township in districts zoned residential, agriculture (RA), and in other districts when approved by the Board of Supervisors upon the recommendation of the Planning Commission and the TDR Review Board; to establish guidelines to facilitate the transfers; and to benefit the community that will enjoy the open space. This motion passed by a vote of 4-1. Mr. Lamond abstained.

b) **Consider adoption of an amendment to Chapter 27 Section of the Warrington Township Zoning Ordinance regarding the provision for fee-in-lieu of open space for minor subdivisions, a zoning map change to move five properties from CBD to C2 and the addition of properties to the Corridor Overlay District.** Mr. Mrozinski reviewed the three separate ordinance changes that are proposed for adoption in Chapter 27 Section of the Warrington Township Zoning Ordinance:

1. **Ordinance to promote the practical preservation of land for use as open space in minor subdivisions.** He said a new Section 308 would be added to Chapter 27 of the Zoning Ordinance. (See attached report.) He said a minor subdivision is those subdivisions that result in a subdivision of two lots or less.

Motion – It was moved by Mr. McKay, seconded by Mr. Lamond, that the Board of Supervisors voted to table the ordinance to promote the practical preservation of land for use as open space in minor subdivisions based on the comments made and changing one of the words from “shall” to “may” in the last paragraph. This motion passed by a vote of 5-0.

2. **Zoning map change to move five properties from CBD to C2.** Mr. Mrozinski said we’re considering an ordinance to change the zoning map to move five properties from CBD to C2 zoning. These properties are centered on the northern side of Titus Avenue and on the west side of Easton Road.

Motion – It was moved by Mr. McKay, seconded by Mrs. Butterworth, that the Board of Supervisors adopted an ordinance to change the zoning map to move five properties from CBD to C2 zoning. The properties are TMP 50-031-018, 50-031-019, 50-031-019-002, 50-031—019-003, and 50-028-021. This motion passed by a vote of 5-0.

3. **Addition of properties to the Corridor Overlay District.** Mr. Mrozinski said we’re considering an ordinance to extend the corridor overlay district to match with existing zoning district boundaries. He said an addition to Section 330 would be added to Chapter 22 of the Subdivision and Land Development Ordinance.

Motion – It was moved by Mrs. Butterworth, seconded by Mr. Lamond, that the Board of Supervisors adopted an ordinance to extend the corridor overlay district to match with existing zoning district boundaries. The fifty-four (54) properties with the tax map parcels listed below are hereby added to the Overlay District as provided for in Warrington Township Subdivision Ordinance, Section 330 are as follows: 50-023-130, 50-023-138, 50-023-139, 50-023-140, 50-026-140, 50-027-017, 50-027-018, 50-027-025, 50-027-027, 50-027-028, 50-027-029, 50-027-030, 50-027-031, 50-027-034, 50-027-035, 50-027-036, 50-027-037, 50-027-038, 50-027-039, 50-027-041, 50-027-042, 50-029-004, 50-029-005, 50-029-006, 50-029-029, 50-029,030, 50-029-031, 50-029-032, 50-029-033, 50-029-034, 50-031-004, 50-031-005, 50-031-025, 50-031-026, 50-031-027, 50-032-030, 50-032-031, 50-032-033, 50-032-034, 50-032-035, 50-032-036, 50-032-037, 50-034-001, 50-034-012, 50-023-139-001, 50-023-139-002, 50-027-023-001, 50-027-023-002, 50-027-035-001, 50-31-004-001, 50-031-019-003, 50-031-024-001, 50-031-028-021, 50-032-030-001, and 50-032-036-001. This motion passed by a vote of 5-0.

c) **Continue hearing of a request from Wegmans Food Market, Inc. to approve a Liquor License Transfer from Pizza Hut in Richboro, Pennsylvania.** Mr. Plotnick said the concern of the Board, in general, is that Warrington Township already has a lot of liquor licenses and they would prefer not to add an additional license. It is their suggestion that Wegmans obtain a license from an existing licensee if one is available. Mr. Plotnick said he would feel more comfortable visiting some of Wegmans other sites in nearby states that are running this operation to see how the people are trained and how it is conducted. The consensus of the Board was that they were concerned with the consumption of alcohol on the premises and don’t feel that a grocery store is the right environment to sell alcohol on the premises.

Mr. Sugarman said if the Board so desires, they could turn down the application unless it receives a commitment from Wegmans to not have on-site consumption of beer and/or not have hard liquor unless the Supreme Court prohibits those restrictions.

Motion – It was moved by Mrs. Kiefer, seconded by Mr. Lamond, that the Board of Supervisors voted to deny the Inter-Municipal Liquor License Transfer to Wegmans Food Market, Inc. This motion passed by a vote of 4-1. Mr. Plotnick voted no.

d) **Consider adoption of an Ordinance addressing supervisor compensation.** Mr. Tieperman reported that last year the General Assembly passed an amendment to the Second Class Township Code adjusting compensation for supervisors but that compensation has to be followed by an ordinance.

Motion – It was moved by Mr. Plotnick, seconded by Mr. McKay, that the Board of Supervisors adopt an ordinance to increase the compensation for supervisors to \$4,125 per year. This motion failed by a vote of 3-2. Mrs. Kiefer, Mr. Lamond, and Mrs. Butterworth voted no.

4. **MANAGER’S REPORT.** Mr. Tieperman reviewed the manager’s report which included a) Grant Award; b) Comcast Franchise Agreement; c) Cellular Tower; d) Easton Road CLS (Closed Loop System); e) Happy Tymes; f) Easton Road/Oakfield Road Intersection; g) County Line Road Task Force; h) Consent Items; and i) Correspondence.

5. **Township Engineer Update.** Mr. Zarko summarized some of the ongoing engineering related activities/projects within the Township as follows: (1) Barnes Park Parking Lot Rehabilitation; (2) Storm Drainage Improvement Project; (3) Pickertown Road/Folly Road Signalization; (4) Palomino Drive Flashing Warning Device; and (5) 2008 Capital Projects.

**NEW BUSINESS (ACTION/DISCUSSION ITEMS):**

6. **Consider adoption of resolution approving preliminary development plan for Highgrove Manor, located at 1169, 1201, 1221, and 1149 Easton Road in Warrington Township.** Mr. Zarko said Katz Builders are proposing a development site. The development site is comprised of four parcels totaling approximately 12.24-acres in size and they are located on the southeasterly side of Easton Road directly opposite the existing intersection with Park Road. Three of these parcels comprising the site are located within the “CR/0 Corridor Residential/Office” Zoning District and the remaining parcel located within the “C-1 Commercial” Zoning District. The applicant is proposing to develop the overall site as a 112-unit Garden Apartment complex, with associated public/site improvements.

Motion – It was moved by Mrs. Butterworth, seconded by Mrs. Kiefer, that the Board of Supervisors considered adoption of the resolution approving the preliminary development plan for Highgrove Manor, located at 1169, 1201, 1221, and 1149 Easton Road in Warrington Township as per the resolution as drafted by township staff. This motion passed by a vote of 5-0.

7. **To consider the following escrow releases:**

<b>Development Name</b>	<b>Release #</b>	<b>Amount</b>
Windsong	8	\$ 38,212.08
Reserve at Warrington	1	\$1,022,337.25
Warrington Shopping Center	6	\$ 331,194.24
Fox Subacute	1	\$ 132,677.00

Motion – It was moved by Mrs. Butterworth, seconded by Mrs. Kiefer, that the Board of Supervisors approved the escrow release for Windsong, Release #8 in the amount of \$38,212.08. This motion passed by a vote of 5-0.

Motion – It was moved by Mrs. Butterworth, seconded by Mrs. Kiefer, that the Board of Supervisors approved the escrow release for Reserve at Warrington, Release #1 in the amount of \$1,022,337.25. This motion passed by a vote of 5-0.

Motion – It was moved by Mrs. Butterworth, seconded by Mrs. Kiefer, that the Board of Supervisors approved the escrow release for the Warrington Shopping Center, Release #6 in the amount of \$331,194.24. This motion passed by a vote of 5-0.

Motion – It was moved by Mrs. Butterworth, seconded by Mrs. Kiefer, that the Board of Supervisors approved the escrow release for Fox Subacute, Release #1 in the amount of \$132,677.00. This motion passed by a vote of 5-0.

## **8. APPROVAL OF BILL LIST**

### **a) 12/11/07 to 12/31/07**

Motion – It was moved by Mr. Plotnick, seconded by Mrs. Butterworth, the Board of Supervisors voted to approve the bill list from 12/11/07 to 12/31/07 in the amount of \$939,559.56. This motion passed by a roll call vote of 5 years.

### **b) 12/31/07 to 01/08/08**

Motion – It was moved by Mr. McKay, seconded by Mrs. Butterworth, the Board of Supervisors voted to approve the bill list from 12/31/07 to 01/08/08 in the amount of \$141,645.97. This motion passed by a roll call vote of 5 years.

## **9. APPROVAL OF MINUTES**

### **a) November 7, 2007**

Motion – It was moved by Mr. Plotnick, seconded by Mrs. Butterworth, the Board of Supervisors voted to table the minutes of the November 7, 2007 meeting. This motion passed by a vote of 5-0.

### **b) November 13, 2007**

Motion – It was moved by Mrs. Butterworth, seconded by Mr. McKay, the Board of Supervisors voted to approve the minutes of the November 13, 2007 meeting. This motion passed by a vote of 5-0.

### **c) November 27, 2007**

Motion – It was moved by Mrs. Butterworth, seconded by Mr. Lamond, the Board of Supervisors voted to approve the minutes of the November 27, 2007 meeting. This motion passed by a vote of 5-0.

### **d) December 4, 2007**

Motion – It was moved by Mrs. Butterworth, seconded by Mr. McKay, the Board of Supervisors voted to table the minutes of the December 4, 2007 meeting. This motion passed by a vote of 5-0.

**10. MINUTES FOR POSTING****a) December 11, 2007**

Motion – It was moved by Mrs. Butterworth, seconded by Mr. Lamond, the Board of Supervisors voted to approve posting the minutes of the December 11, 2007 meeting. This motion passed by a vote of 5-0.

**11. FUTURE AGENDA TOPICS:**

a) **Job Well Done.** Mr. Wayne Bullock complimented Paul Plotnick, Chairperson for the good job he did with conducting his first meeting tonight.

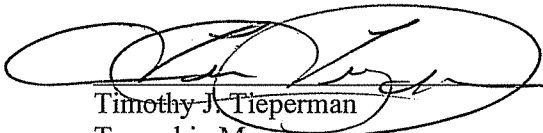
b) **Approval of Bill List.** Mr. Bullock commented that the bill list used to be included along with the agenda and requested that it be included with future agendas.

c) **Bus Stop.** Mr. Bullock commented that the bus stop installed was all done with donations and one of the primary contributors was the Katz organization.

d) **Liquor License Transfer.** Mr. Mrozinski made the Board aware that Bertucci's Restaurant would be appearing before the Board on January 22, 2008 to transfer a liquor license to the Jomac property.

**12. ADJOURNMENT**

It was moved by Mr. Lamond, seconded by Mrs. Kiefer, the Board of Supervisors voted to adjourn the meeting at 11:05 p.m. This motion passed by a vote of 5-0.

  
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Timothy J. Tieperman  
Township Manager

2/25/2008  
Date