



**WARRINGTON BOARD OF SUPERVISORS
SPECIAL MEETING – PUBLIC HEARING
MINUTES FOR APRIL 5, 2017**

The written minutes are a summary of the April 5, 2017 Board of Supervisors meeting. For a complete dialog visit the Township's website, www.warringtontownship.org. This meeting was also recorded by a Court Stenographer.

ATTENDANCE

Shirley A. Yannich, Chair; Fred R. Gaines, Vice Chair; Carol T. Baker, Member, Matthew W. Hallowell, Member and Millie A. Seliga, Member. Staff present was Barry P. Luber, Township Manager; Terry W. Clemons, Esq., Township Solicitor, Thomas F. Zarko, P.E., CKS Engineers, Township Engineer, Roy Rieder, Zoning Office and Director of Special Projects and Barbara J. Livrone, Executive Assistant to the Township Manager/Board Secretary.

CALL TO ORDER: Ms. Yannich called the meeting to order at 7:30 P.M. Ms. Yannich stated the meeting was properly advertised for 7:30 P.M. on March 21 and March 28, 2017 to consider and deliberate the conditional use hearing application filed by Geerling Florist, Inc. All members of the Board were present.

PLEDGE OF ALLEGIANCE

Ms. Yannich followed the Call to Order with a pledge to the flag.

EXECUTIVE SESSION REPORT

There was no executive session held.

PUBLIC COMMENT: There was no public comment.

Ms. Yannich stated a court stenographer was present to record and transcribe the hearing. Attorney for the applicant, Richard McBride agreed to the extension of the hearing to April 5, 2017.

1. PUBLIC HEARING:

- a. CONSIDER CONDITIONAL USE APPLICATION FOR GEERLING FLORIST, INC., 3091 STREET ROAD, TMP # 50-004-150, USING TRANSFERABLE DEVELOPMENT RIGHTS IN THE RA ZONING DISTRICT TO CONSTRUCT 49 SINGLE-FAMILY DETACHED DWELLINGS. (Advertised March 21, 2017 and March 28, 2017).**

Ms. Yannich asked for Parties of Record. Mr. Clemons stated in order to be a Party of Record; one must reside within 500 feet of the property line.

The following residents requested Party of Record status:

- Ken Rose (3172 Street Road)
- Dorothy Bell (740 S. Settlers Circle)
- Nick and Marie Plenzick (3154 Street Road)
- Deb Farrell (3142 Street Road)
- Tom Smith (154 S. Founders Court)
- Brian and Lauren Phillips (3166 Street Road)

- Susan Sultanik (742 S. Settlers Circle)
- Miriam Krantz (631 N. Settlers Circle)
- Diane Lisher (633 N. Settlers Circle)
- Glenn Saul (734 S. Settlers Circle)
- Steven and Cynthia Roberts (772 Folly Road)

Mr. Clemons stated the hearing is for an application of Geerling Florist, Inc., for conditional use to establish TDR's on 46.25 acres; creating a 49 lot subdivision and preserving 10 acres of open space.

Mr. Clemons presented and listed Township Exhibits T-1 through T-12.

Mr. McBride stated the application is based on Section 411 G(6)(a)(1) of the Zoning Ordinance.

Mr. McBride presented two witnesses:

- Robert Heuser, Land Planner
- Dean Kaiser of Burns Engineering, Inc.

Mr. McBride stated Warrington Township Planning Commission recommended approval of this plan with some conditions. Mr. McBride presented Exhibits A1 through A3 noting the list of commitments to Legacy Oaks; the mulching operation would cease and a capacity letter for both water and sewer service was confirmed. Ms. Yannich read Exhibit A-2 to the public listing the commitments to the Legacy Oaks residents.

Mr. Heuser stated the gross buildable site area is 41.83 acres. He noted that 54.379 dwelling units are permitted under the Ordinance. The minimum acreage is 6 acres per 100 units. The existing plan has in access of 10 acres of open space.

The plan is in compliant with the Comprehensive Plan.

Roy Rieder, P.E. was sworn in and confirmed that TDR's have been used in RA districts; Warrington Glen is one example.

Wetlands and the existing pond both have appropriate buffers. An environmental impact assessment has not been prepared at this stage of the application. The direction of stormwater runoff will be through a stormwater basin.

Tom Zarko, P.E. was sworn in and agreed with the calculation regarding the gross buildable site area and the number of lots being developed using TDR's in accordance with the Ordinance.

Parties of Record to Mr. Heuser testimony:

- Deb Farrell (3142 Street Road)
- Ken Rose (3172 Street Road)
- Susan Sultanik (742 S. Settlers Circle)
- Nick Plenzick (3154 Street Road)
- Glenn Saul (734 S. Settlers Circle)

Mr. Kaiser gave testimony regarding a traffic impact study. He testified to peak hour calculations. He stated that the site distance is consistent with PennDOT requirements.

Parties of Record to Mr. Kaiser's testimony:

- Ken Rose (3172 Street Road)

- Deb Farrell (3142 Street Road)
- Tom Smith (154 S. Founders Court)
- Susan Sultanik (742 S. Settlers Circle)
- Miriam Krantz (631 N. Settlers Circle)
- Nick Plenzick (3154 Street Road)
- Glenn Saul (734 S. Settlers Circle)

Ms. Yannich asked the members of the Board to discuss at Board level:

- Ms. Seliga requested preservation of all buildings currently on the property. Ms. Seliga also requested two access points to Street Road. Ms. Seliga requested curbs and sidewalks on Street Road.
- Ms. Yannich requested the draft minutes of the March 16, 2017 Planning Commission minutes be attached to April 5th Board of Supervisors meeting minutes (See Attachment "A"). Ms. Yannich made reference to the following items that should be included in the development: a cul-de-sac; water and sewer should be public; CKS letter relating to acquisition of TDR's; moving the boulevard so that it is not directly in front of Street Road resident's driveway; off-site landscaping; connection to trails; mulching operation never to start up; preparation of an environmental impact assessment, soil testing and 3 acre pond remedied and impact statement of municipal services.
- Mr. Gaines requested testing for heavy metals in the soil and two entrance ways onto Street Road.
- Ms. Baker requested a by-right plan to be part of the condition.

Mr. McBride gave closing remarks. He stated that the barn can be removed and placed somewhere else as per the Historic Commission. TDR's will be provided. An emergency access road is appropriate to come out onto Street Road. The applicant will work with the Township Engineer and PennDOT. The application is fully compliant with the zoning ordinance.

Mr. Clemons noted sixteen conditions to the application and requested to deliberate and present the conditions for approval at the April 18, 2017 Board of Supervisors meeting.

Public Comment:

- Eric Thompson (291 Folly Road) does not agree with the proposed development.
- Ken Rose (3172 Street Road) questioned if the lots were near the storm drainage and the open space is not visible from Street Road.
- Tom Smith (154 S. Founders Court) stated Legacy Oaks has 150 homes and only one entrance which have never created a problem.
- Deb Farrell (3142 Street Road) commented on future use of Geerling would be sold as a development.
- Mike Kelly (135 Muirfield Lane) complimented the developer for preserving the existing home.

Mr. Clemons stated the time period to enter a decision will start at the April 18, 2017 Board of Supervisors meeting.

Mr. Hallowell motioned, seconded by Mr. Gaines to close the hearing at 10:10 PM. All were in favor, 4-1 with Ms. Seliga abstaining.

ADJOURNMENT

Mr. Hallowell motioned, seconded by Ms. Yannich to adjourn the meeting at 10:13 PM.

Respectfully Submitted By:


Barbara J. Livrone, Board Secretary

Attachment "A"

Warrington Township Planning Commission Minutes for March 16, 2017 Meeting

The regular meeting of the Warrington Township Planning Commission was held at 7:00 pm. March 16, 2017 at the Township Building located at 852 Easton Road, Warrington, PA 18976. The members present were as follows:

Richard Rycharski	Chair
Ben Redd	Excused - Vice Chair
Vince Evans	Secretary
Ted Cicci	Member
Bill Connolly	Member
Fred Gaines	Member
Brian Shapiro	Member
Roy Rieder, P.E.	Planning and Zoning

Call to Order/ Pledge of Allegiance:

The meeting opened with the Pledge of Allegiance

Public Comment - None

1. Approval of Minutes

a. February 2, 2017

On a motion made by Mr. Cicci, seconded by Mr. Evans, the Warrington Township Planning Commission voted to approve the minutes of February 2, 2017. This motion passed with a vote of 6-0.

Mr. Cicci – yes	Mr. Conolly - yes	Mr. Evans – yes
Mr. Gaines – yes	Mr. Rycharski – yes	Mr. Shapiro – yes

2. Posting of Minutes

a. March 2, 2017

On a motion made by Mr. Cicci, seconded by Mr. Evans, the Warrington Township Planning Commission voted to post the minutes of March 2, 2017 with the correction to the notation of the chapter that was tabled (should be 8 not 6). This motion passed with a vote of 6-0

Mr. Cicci – yes	Mr. Conolly - yes	Mr. Evans – yes
Mr. Gaines – yes	Mr. Rycharski – yes	Mr. Shapiro – yes

3. Old Business - None

4. New Business (done prior to Old Business)

a. Review and comment on the Murphy Tract Sketch Plan 2934 Bristol Rd, TMP 50-026-002
This was withdrawn from this evening's agenda.

b. Review and comment on the Nolan Sketch Plan 1800 Street Rd, TMP 502-035-025

Bill Nolan (principal of Nolan Capital) and Mr. Steve Harris, Esq. were present this evening for this application. Mr. Harris reviewed the proposal and location for this application. The plan is to demolish the current building and build a new mini storage building in its place. Mr. Harris also stated that they realized that the parcel is Zoned PRD and the current use (office space is a non-conforming use. They realized they will be required to go before the Zoning Hearing Board to use the parcel as another nonconforming use.

Mr. Nolan reviewed the company's history and past projects locally and nationwide. Both climate controlled and non-climate controlled facilities will be available. They offer resident managers and Mr. Nolan reviewed the company's security measures. They have restricted access and to the site for renters or employees only.

The applicant has contacted and met with the board of Hampton Greene and they plan on working with the development to make this a project that will work for everyone.

Their traffic study showed that there were approximately 31 trips generated per day, a negligible amount for this location. No traffic will be entering or exiting from/to Costner Dr.

Adam Supplee, landscape architect and planner from Alta planning and design for the project reviewed the site plans for the project, starting with what currently exists. They will be meeting the township's replacement requirements for trees that will be removed. Also, they plan on exceeding the screening requirements along the back side bordering the development with the residents so that it will be acceptable to all parties.

All units are accessed from the interior drives; no garage doors will be visible from off site.

They wanted to know the Planning Commission thoughts on removing the accesses onto Costner Dr. It was suggested by the Planning Commission that they could put a softer façade towards Costner Dr. and try to avoid the "big box" feel for the project.

There was discussion regarding the non-conforming use status of the property.

There was a discussion regarding the installation of the sidewalk and curbing along Street Rd. Some of the curbing issue will be at PADOT's discretion. It was stated that the sidewalk will be directly over the water line. The Planning Commission would want sidewalks and curbing.

Adria Mednitsky, 24 Basswood Ct & Board of Directors/Hampton Greene
The Board met with Mr. Nolan yesterday. A majority of the residents do not have any idea of this project. She stated that there was not traffic impact from the insurance company. They are concerned to have the access off Costner Dr. They are hoping against the entrance from Costner

Mike Kelly, 135 Muirfield Ln.

Can businesses be run from storage facilities? Mr. Nolan stated that they cannot run a business out of this facility. They may not run a store or sleep in the units.

Their office hours are 9am-6pm Monday – Friday and 9am-5pm Saturday; Gate access is allowed 7am-9pm, 7days a week for customers.

There is a proposed underground storm water management facility.

Carol Baker, 863 Euclid Ave

Are there going to be many big trucks? Historically they are double axel vehicles and not tractor trailer vehicles.

c. Review and, if appropriate, make recommendations on Conditional Use Application 16-05-CU for Sunlit Farms (Geerling Tract), 3091 Street Rd, TMP 50-004-150

Mr. Richard McBride was present this evening for this application. This use is permitted as a conditional use. This is for 49 lots and preserves the original house. This is the conditional use plan only at this point.

There are two planning items Mr. McBride wished to discuss with the Planning Commission for this plan.

1. If there would be development on the Colibraro property, the cul-de-sac at the top corner of the site could be opened through to the other development to promote access. The property owners would be advised of this at the time of purchase and the plan would be developed accordingly.

2. Is it necessary to provide a second means of ingress and egress?

Mike Kelly, 135 Muirfield Ln

There is not builder involved at this point until there is a plan approved. How many TDRs are still available at this point? This is not a Cutler project.

Seth Gansman, 903 Bently Ct.

What control do we have regarding the preservation of open space for the township? Owners can do with their land as they wish within the parameters of building codes and township ordinances. The Planning Commission can only determine if the planning code was adhered to.

Ken Rose, 3172 Street Rd.

What is the proposed lot size? Just for information at this point.

15,000 sq. ft. is the minimum per the standard. Warrington Glen and Warrington Meadows are similar in lot size and build under the same code.

On a motion made by Mr. Connolly, seconded by Mr. Cicci, the Warrington Township Planning Commission voted recommend approval for the conditional use application for Sunlit Farms (Geerlings Tract), 3091 Street Rd, TMP 50-004-150 with the following conditions:

- Base-line starting point for the allowed number of lots must be calculated based on the gross buildable site area divided by the RA zoning district 3 acre minimum lot size requirement. If the applicant wishes to build 49 units, they will need to produce TDRs for the difference.
- The applicant must provide two additional means of right of way.
- The applicant must continue the discussion with the Legacy Oaks development
- The applicant will try to provide an emergency access point off of Street Road.

This motion passed with a vote of 6-0

Mr. Cicci – yes

Mr. Conolly - yes

Mr. Evans – yes

Mr. Gaines – yes

Mr. Rycharski – yes

Mr. Shapiro – yes

Seth Gansman, 903 Bently Ct.

Can residents get a list of what TDRs are available and how the expended ones were used?

The confusion lies in the multiple methods of computation to determine TDRs. Mr. Rieder would be the best resource for what is still available.

d. Review and, if appropriate, make recommendations concerning the proposed Zoning Ordinance Amendments and Zoning map changes regarding commercial and consumer service uses.

Mr. Clemons, Esq. reviewed the "Big Box" store ordinance and its proposed changes.

John Pileggi, 3494 Limekiln

Questioned the status of a large building (35,000+ sq ft building) after 3 years of being vacant per this proposed ordinance revision.

Suggested revisions:

Section 2.1.A: change 'structure' to 'structure/use'.

Section 2.1.C: change 7,500 square feet to 20,000 square feet

Delete Section 2.1.C.6.1

Delete Section 2.1.C.8

Mr. Conolly made a motion to recommend to the Warrington Township Board of Supervisors adoption of the draft ordinance for the "Big Box" stores with the suggested revision. Mr. Cicci seconded. This motion passed with a vote of 6-0

Mr. Cicci – yes

Mr. Conolly - yes

Mr. Evans – yes

Mr. Gaines – yes

Mr. Rycharski – yes

Mr. Shapiro – yes

5. Comprehensive Plan

a. Continued discussion of the draft Comprehensive Plan chapters submitted by the Bucks County Planning Commission

More review of the transportation section is required prior to review by the Planning Commission.

6. Subcommittee Reports – none

7. Additional Business - none

Next Meeting – April 6, 2017

Adjournment – 10:00 pm

Recorder: Amy Organek