

**RICHLAND TOWNSHIP
BOARD OF SUPERVISORS
BUSINESS MEETING
JANUARY 24, 2005**

Chairman, Richard Orloff called the Richland Township Board of Supervisors Business Meeting to order. Members present: Steven Tamburri and Michael Zowniriw. Also present; Stephen Sechriest, Township Manager; Kevin Kochanski, Township Planner; Kenneth Yerger, Township Engineer; B. Lincoln Treadwell, Township Solicitor (arrived at 7:25); Jeffrey L'Amoreaux, Township Traffic Engineer (arrived at 7:10); and Chief Lawrence Cerami, Police Department.

I. OPENING

- A. The meeting was called to order at 7:00 p.m.
- B. The Pledge of Allegiance was recited.
- C. The Invocation was given by Mr. Orloff.
- D. The Roll Call was taken.

Note: The meeting was held out of order from the published agenda.

II. PUBLIC HEARINGS

- A. Hearing on proposed amendment to Zoning Ordinance to repeal Ordinance No. 209, which amended the Age-Qualified Overlay District. Mr. Tamburri chaired the hearing. Mr. Zowniriw stated that the ordinance for age-qualified overlay district has merit and that the intention of the ordinance was to create mid-rise buildings at a particular location but now proliferating development has occurred that was not the original intent. Mr. Orloff stated that he helped conceive the ordinance with a specific project in mind. There was no public comment on this issue. The BOS closed the hearing and will render their decision later in the meeting. .

III. PUBLIC COMMENT

There was no public comment at this time in the meeting.

IV. PRESENTATIONS

Not applicable for this agenda.

V. BOARD AND STAFF REPORTS

Mr. Sechriest, Township Manager, reported that the US Census Bureau notified him of a change in the format of surveys. The new survey will be on a monthly basis and that the Census Bureau is now hiring permanent part-time workers to work on surveys that are not returned.

Mr. Orloff, Township Supervisor, stated that he has recently been hired for several future projects with the firm of Lopez, Toedosiso, & Larkin, LLP (the firm that the township contracted to increase the productivity for the EIT office). Mr. Orloff submitted a letter stating that he had a conflict of interest regarding his employment with the firm and would therefore be abstaining from any voting having to do with future engagements and payments of bills submitted to the township from this point forward. Mr. Orloff requested that any bills submitted to the township be listed separately from those of the township in order for him to abstain on any payments to this firm.

Mr. Tamburri, Township Supervisor, had no reports at this time.

Mr. Zowniriw, Township Supervisor, stated that he is working on new energy saving procedures for the township that will save the township money and would present his findings at a later date.

Mr. Kochanski, Township Planner, announced that the next meeting of the Rivers Conservation Steering Committee would be held on February 17, 2005 at the township meeting room at 3:00 p.m.

Mr. Yerger, Township Engineer, had no reports at this time.

Mr. L'Amoreaux, Township Traffic Engineer, had no reports at this time.

Mr. Treadwell, Township Solicitor, had no reports at this time.

Chief Cerami, Township Police Department, had no reports at this time.

VI. DEVELOPERS' ISSUES

- A. Waiver Request of Charles Kerner from Section 517 of the Subdivision and Land Development Ordinance concerning the paving of the driveway a distance of 20 ft. beyond the ultimate right-of-way for his property at 315 Gross Road
The Applicant is seeking a waiver of Section 517 of the Subdivision and Land Development Ordinance requirement due to the existence of a stone driveway where a new house was built to replace a mobile home that had been on the lot.
Mr. Frank Costanzo, Van Cleef Engineering Associates, has reviewed the request and outlined his recommendations in a letter dated December 21, 2004.

MOTION **Mr. Tamburri made a motion to grant a waiver for Section 517 of the Subdivision and Land Development Ordinance concerning the paving of a driveway to Mr. Charles Kerner for property located at 315 Gross Road subject to the approval of Mr. Roeder, Richland Township Public Works Director, and also that if in the future the unpaved driveway becomes a nuisance Mr. Kerner will be required to pave it. Mr. Zowniriw seconded the motion. Vote: All in favor. Motion carried unanimously.**

- B. GAF Materials Preliminary/Final Plan, a proposed expansion of an existing industrial facility located at 60 Pacific Drive
The Applicant is seeking preliminary/final plan approval for this project.
Present to discuss the request with the BOS were: Mr. Richard Stoneback, Mr. William Fagnant, Mr. Dale Kelley, Mr. Ken O'Brian, and Mr. John Rice.
Mr. L'Amoreaux stated that he has discussed the truck traffic impact involving road maintenance with Mr. Roeder and is presently working on a recommendation.

MOTION **Mr. Tamburri made a motion to grant the following waivers as listed in Mr. Rice's letter dated January 20, 2005: Section 506.a, 506.b, 518, and 609 regarding cartway widths and sidewalk installation along Pacific Drive with a note to be added to the plan that if required in the future by the township that sidewalks will be installed; Section 516.e.1, e.12, e. 13, and e.14 regarding the number of parking islands and to allow 3 driveways on the property two of which will exceed 35 feet; and Sections 107.H, Ordinance #187, Sections 304.J.4, J.5 and J.8 regarding stormwater basin grading/fencing, 3:1 slopes, and landscaping in basins subject to review and approval by Boucher & James. Mr. Orloff seconded the motion. Vote: All in favor. Motion carried unanimously.**

MOTION **Mr. Tamburri made a motion to grant Conditional Preliminary/Final plan approval to GAF Materials Corporation for property located at Pacific Drive and Penn-Am Drive (MP#36-17-88) subject to the following conditions: Compliance with the Boucher & James letter dated November 5, 2004; compliance with the Carroll Engineering Corp. letters dated November 11, 2004 and December 8, 2004; compliance with any conditions that may have been imposed on the project by the Zoning Hearing Board in granting the required relief; receipt of all permits and**

approvals from any agencies having jurisdiction over such matters; and including but not limited to and agreement between the township and GAF Materials for a offset contribution to the traffic impact. Mr. Orloff seconded the motion. Vote: All in favor. Motion carried unanimously.

- C. Bracalente-Meyers Minor Subdivision Reconsideration located on W. Pumping Station Road across from O'Neil Drive
Mr. Scott Mease, Mease Engineering, P.C. was present to discuss this item with the BOS. The Applicant received conditional approval on July 17, 2002 for a minor subdivision to convert two lots into three for each of the three dwellings located on the north side of W. Pumping Station Road across from O'Neill Drive (TMP#'s 36-6-67 & 36-6-67-1).

MOTION Mr. Zowniriv made a motion to grant the following waivers as outlined in Mr. Mease's letter dated December 10, 2004: Section 515 regarding installation of curbs along W. Pumping Station Road with a note on the plans to install curbs if required by the Township; Section 518 regarding sidewalks with a note on the plans to install sidewalks in the future if required by the township; Section 605 regarding street improvement; Section 704.c.2. regarding showing existing features within 400 feet; and Section 704.c.5. regarding providing contours/elevations on the plan. Mr. Tamburri seconded the motion. Vote: All in favor. Motion carried unanimously.

MOTION Mr. Zowniriv made a motion to grant Conditional Final Approval to Mr. Tom Bracalente for property located on the north side of W. Pumping Station Road across from O'Neill Drive (TMP#'s 36-6-67 & 36-6-67-1) subject to the following conditions: Compliance with the Boucher & James letter dated May 31, 2002; compliance with the Van Cleef Engineering memo dated June 14, 2002; the existing driveway on TMP#36-5-67-1 that serves Lot #1 shall be abandoned and removed at such time as either TMP#36-5-67-1 or Lot #1 is sold or transferred; receipt of all permits and approvals from any agencies having jurisdiction over such matters; compliance with any conditions that may have been placed on the project by the Zoning Hearing Board in granting the required relief; and completion of a water line easement agreement with the Richland Township Water Authority. Mr. Tamburri seconded the motion. Vote: All in favor. Motion carried unanimously.

- D. Baldrige-Quakertown Rezoning Request concerning proposed Commercial Development on Rt. 309 at Tollgate Road
The Applicant is seeking a zoning map amendment to rezone TMP#36-16-29 & 36-16-30 from the SRL Zoning District to the PC Zoning District in order to develop a drug store and a bank.
Present to discuss this issue with the BOS were: Mr. Jeffrey Todd, Project Manager with Traffic Planning and Design, Inc.; Ms. Bernadette Kearney, Solicitor with HRMM&L; and Mr. Matthew Chartrand, with Bohler Engineering, Inc.
The BOS requested that this issue be sent to the professional staff and boards for reviews and recommendations.

MOTION Mr. Orloff made a motion to authorize the advertisement for a zoning map amendment for Baldrige-Quakertown to rezone TMP#36-16-29 & 36-16-30 from the SRL Zoning District to the PC Zoning District in order to develop a drug store and a bank. Mr. Zowniriv seconded the motion. Vote: All in favor. Motion carried unanimously.

- E. Time Extension Request for Moyer's Chicks Land Development for a project located on Paletown Road
The Applicant has requested a time extension of the review period for their project located on Paletown Road.

MOTION **Mr. Tamburri made a motion to approve Resolution #05-02 granting a 90-day extension of the review period to Moyer's Chicks Land Development for property located on Paletown Road (TMP#36-42-7). The extension will end on May 7, 2005. Mr. Zowniriw seconded the motion. Vote: All in favor. Motion carried unanimously.**

- F. Time Extension Request for Richland Industrial Park for a project located on E. Pumping Station Road
The Applicant has requested a time extension of the review period for their project located on East Pumping Station Road.

MOTION **Mr. Zowniriw made a motion to approve Resolution #05-03 granting a 90-day extension of the review period to Richland Industrial Park for property located on E. Pumping Station Road (TMP#36-29-19-001). The extension will end on May 13, 2005. Mr. Tamburri seconded the motion. Vote: All in favor. Motion carried unanimously.**

- G. Zoning Hearings Scheduled for February 16, 2005
1. Donald & Betty Bright (399 E. Paletown Road)
The Applicants are seeking variances concerning lot size, lot width and impervious surface in order to be able to subdivide an existing nonconforming lot into two separate building lots.
The BOS indicated that they would not interfere with the hearing.
 2. D'Angelo Construction Challenge of Validity of Zoning Ordinance (950 Old Bethlehem Pike)
The Applicant is challenging the validity of the zoning for the Romano Tract located along the new Station Road Extension (TMP#36-25-28), concerning the RA designation.

MOTION **Mr. Tamburri made a motion to oppose the challenge and to hire Mr. VanLuvanee, with Eastburn & Gray to represent the township conditioned that the same or lower rate would be charged to the township as is currently being charged for another project. Motion was amended to include that Mr. Van Luvanee be the representative if there is no conflict of interest in this matter. Mr. Zowniriw seconded the motion. Vote: All in favor. Motion carried unanimously.**

- H. Escrow Release Requests
1. Beaver Run Village, Release Request No. 20
The developer has requested an escrow release for this project and Mr. Mark Eisold, Boucher & James, Inc. has reviewed the request and outlined his recommendations in a letter dated January 18, 2005.

MOTION **Mr. Orloff made a motion to release escrow funds to Main Street Development Group, Inc. for Beaver Run Village, Release Request No. 20 in the amount of \$60,283.53 as recommended by Mr. Eisold and outlined in his letter dated January 18, 2005 subject to deductions of any outstanding fees due to the township. Mr. Zowniriw seconded the motion. Vote: All in favor. Motion carried unanimously.**

2. Richland Place, Release Request No. 2
The developer has requested an escrow release for this project and Mr. Mark Eisold, Boucher & James, Inc. has reviewed the request and outlined his recommendations in a letter dated January 18, 2005.

MOTION **Mr. Orloff made a motion to release escrow funds to Tollgate Real Estate Associates, Inc. for Richland Place, Release Request No. 2 in the amount of**

\$5,211.90 as recommended by Mr. Eisold and outlined in his letter dated January 18, 2005 subject to deductions of any outstanding fees due to the township. Mr. Zowniriw seconded the motion. Vote: All in favor. Motion carried unanimously.

VII. TOWNSHIP BUSINESS ITEMS (OLD AND NEW)

- A. Approval of Minutes from December 30, 2004 Business Meeting, January 3, 2005 Reorganization Meeting and January 3, 2005 Business Meeting.

MOTION Mr. Orloff made a motion to approve the minutes from the Richland Township Board of Supervisors Business Meetings dated December 30, 2004, January 3, 2005 Reorganization Meeting and January 3, 2005 as edited. Mr. Zowniriw seconded the motion. Vote: All in favor. Motion carried unanimously.

- B. Financial Business-Approve payment of bills

MOTION Mr. Orloff made a motion to approve the payment of bills as submitted. Mr. Zowniriw seconded the motion. Vote: All in favor. Motion carried unanimously.

- C. Traffic Signal at Rt. 313 and Paletown Road
Mr. L'Amoreaux, Carroll Engineering, has made a recommendation to accept the bid for installation of a traffic light at Rt. 313 and Paletown Road from Lenni Electric, the low bidder, for the amount of \$48,800.

MOTION Mr. Orloff made a motion to authorize the hiring of Lenni Electric to install a traffic light at Rt. 313 and Paletown Road intersection for the amount of \$48,800 as recommended by Mr. L'Amoreaux, Carroll Engineering. Mr. Zowniriw seconded the motion. Vote: All in favor. Motion carried unanimously.

- D. Zoning Ordinance Amendment (Repeal of Ordinance No. 209)
The BOS closed the public hearing for this issue earlier in the meeting.

MOTION Mr. Zowniriw made a motion to adopt Ordinance No. 216, which will repeal Ordinance No. 209 thereby deleting the senior housing dwelling type and the revisions to the age-qualified overlay district. Mr. Tamburri seconded the motion. Vote: All in favor. Motion carried unanimously.

VIII. PUBLIC COMMENT

Mr. Al Martin, 3000 Dovecote Drive, had a comment regarding the survey done by Van Cleef of the basin area in his development.

IX. ADJOURNMENT

MOTION Mr. Tamburri made a motion to adjourn the Richland Township Board of Supervisors Business Meeting at 8:20 p.m. Mr. Orloff seconded the motion. Vote: All in favor. Motion carried unanimously.

Respectfully submitted,
Catherine Woods
Recording Secretary

Note: The next Business Meeting of the Richland Township Board of Supervisors will be held on Monday, February 14, 2005 at 7:00 p.m.