

**SPRINGFIELD TOWNSHIP, BUCKS COUNTY
BOARD OF SUPERVISORS MEETING
NOVEMBER 9, 2004**

The meeting was called to order at 7:32 p.m. by Vice Chairman Pete Lamana. Members present were: Chuck Halderman, Rob Zisko. Rod Wieder and Jim Brownlow were absent. Solicitor Jim McNamara was present.

MINUTES OF OCTOBER 26, 2004

Rob Zisko moved to approve the minutes as presented. Seconded by Pete Lamana. Vote was unanimous.

BILLS FOR APPROVAL

The Treasurer presented a bills list indicating payments of \$17,450.34 from October 27 to November 5, 2004. Chuck Halderman moved to approve the Bills list as presented. Seconded by Rob Zisko. Vote was unanimous.

REPORTS

Road Department – report is posted on the bulletin board.

Code Enforcement Report – report is posted on the bulletin board.

Police Report – Officer-In-Charge Scott Huber presented the report for the month of October. There were a total of 121 incidents for the report period consisting of 9 accidents with 6 traffic arrests. The new Ford Explorer is still being equipped and is expected to be in service within the week.

Solicitor’s Report – Jim McNamara has no formal report for the month of October.

PUBLIC COMMENT AGENDA ITEMS

NONE

PLANNING

Solteck Equities – Final Plan Approval

Acting Chairman Pete Lamana stated the Planning Commission recommended final approval for this project at their November 3, 2004 meeting.

Pete moved to grant final approval for the Solteck Equities Major Subdivision based upon the items listed in Wynn Associates letter dated November 4, 2004:

1. In consideration of the Township approval of waiver of Section 504.2.J. of the Subdivision Ordinance regarding lot depth to width ratio, a conservation easement is required on Lot 4 to include all the rear area of Lot 4 exclusive of 3.00 acres of buildable area along the frontage of the parcel. General note 29 on sheet 1 of 5 must be revised to identify dedication of the easement to the Township and the easement area must be revised to provide a net lot area of 3.00 acres. Three copies of the legal description for the easement area, all containing original seal and signature of the responsible surveyor, must be submitted to the Township for review and preparation of easement documents. Easement documents will provide for access to the conservation easement by Township officials through Lot 4 for the purposes of site inspection for compliance with easement restrictions.
2. Correspondence dated September 20, 2004 was received from the Bucks County Conservation District which indicates that proposed erosion and sediment control measures are adequate. Verification of receipt of an NPDES permit from PADEP must be submitted to the Township prior to plan recordation.

3. Three copies of legal descriptions for the ultimate right-of-way of Winding Road and conservation easement within Lot 4 were submitted with the final plan, however, just be revised as noted in Item 1 above. Dedication of Winding Road as an easement to Springfield Township must be accomplished prior to plan recordation. Legal costs associated with preparation of an easement documents are the responsibility of the applicant.
4. In accordance with approval of waivers relative to street improvements, the applicant must establish financial security in an amount acceptable to the Township to guarantee that Winding Road is repaired of damage during dwelling construction on any of the lots. The amount to be established for the guarantee must be included in escrow funds associated with the Development/Financial Security Agreement which will be reimbursed to the developer upon completion of construction activity less all Township costs.
5. A Development/Financial Security Agreement must be executed between the applicant and Township to guarantee installation of required improvements. An "Opinion of Cost", dated September 8, 2004, prepared by Urwiler & Walter, Inc., was received in the total amount of \$32,395.00. The opinion of cost must also include funds associated with contingency and construction inspection/escrow administration costs in the amount of 15% of the subtotal of construction line items. Additionally, as noted above, funds associated with potential repair of Winding Road must be included in the cost estimate.

Chuck Halderman seconded the motion. Vote was unanimous (3-0)

Evergreen Estates Major Subdivision – Attorney Robert Sugarman, representing the Bodder Road neighbors has requested an opportunity to address the Supervisors. Atty. Sugarman has not arrived at this time. Matter will be address later in the agenda.

Haney Subdivision - Major Subdivision - State Road – Mease Engineering

At their meeting on November 3, 2004, the Planning Commission unanimously recommended the plan for Preliminary/Final approval.

Chuck Halderman moved to grant Preliminary/Final approval conditioned upon the outstanding items listed in Wynn Associates letters dated November 4, 2004 and October 22, 2004:

1. Correspondence dated September 8, 2004 was submitted by Mease Engineering, P.C. on behalf of the applicant, which requests waivers of various Subdivision Ordinance sections. At the Planning Commission meeting on September 1, 2004, the Planning Commission recommended approval of waivers requested for Sections 403.2.A, 504.2.D, 504.2.J, 504.2.K, 505.16, 506.4.A, 512, and 513. The applicant is also requesting waiver of Section 522 (relative to installation of monuments), to permit installation of a railroad spike in the center of the shared driveway for Lots 1 and 2, after driveway construction. This office recommends approval of the applicant's request, noting that installation of the railroad spike should be guaranteed by Development/Financial Security Agreement. The Planning Commission recommends approval of the additional waiver relative to installation of a railroad spike in-lieu-of a concrete monument at the property boundary corner located within the shared driveway for Lots 1 and 2.
2. Drainage and Stormwater Management Report, dated July 14, 2004, latest revision date October 13, 2004, prepared by Mease Engineering, P.C. was submitted with the revised plan application. Two attenuation trenches (one on each lot) are proposed to manage increased runoff from the developed area of each lot. According to calculations contained in the Stormwater Management Report, stormwater management facilities have been designed to reduce the peak rate of runoff for all design storms to

within the predeveloped peak rate of runoff. Although calculations appear to indicate compliance with performance principals of Stormwater Management Ordinance, the design of infiltration trenches assumes no discharge during all storm events, although infiltration is not utilized for design of the facilities. As discharge pipes have been proposed, discharge pipes must be evaluated relative to peak discharge from each facility, to determine whether the combined rate of runoff from each facility and the undetained area is less than the total peak rate of runoff for the predeveloped condition. Calculations should be revised accordingly, and included in the Stormwater Management Report for review.

As discussed at the Planning Commission meeting on October 6, 2004, design of the driveway should be evaluated to verify that stormwater runoff will not be diverted by installation of the driveway and directed onto the cartway of State Road. Although a trench drain is proposed at the intersection of the shared driveway on State Road, grading of the driveway should be revised to follow the existing cross slope of the property, to allow stormwater runoff to sheet flow across the driveway rather than being intercepted and channelized within the driveway itself. Proposed grading should be revised accordingly on sheet 2 of 2, to reflect existing drainage patterns in the vicinity of the proposed driveway, and to be consistent with the driveway detail found elsewhere in the plan set.

3. A legal description for the shared driveway was received with the revised preliminary plan, which satisfactorily conforms with record plan information. Shared driveway access easement should be executed in a manner satisfactory to the Township, prior to plan recordation.
4. Design approval for the proposed shared driveway must be received from PennDOT via issuance of a Highway Occupancy Permit. A copy of the HOP should be submitted to the Township prior to plan recordation.
5. Ultimate right-of-way of State Road is offered for dedication as an easement by note on the plan, which should be accepted by the Township in accordance with Section 506.2.A of the Subdivision Ordinance. Legal description for the right-of-way area was submitted with the revised preliminary plan, which satisfactorily conforms with record plan information. Easement documents should be executed in a manner satisfactory to the Township, prior to plan recordation.
6. Property and right-of-way monumentation should be installed prior to plan recordation and be certified in writing by the responsible surveyor.
7. Wells to serve proposed dwellings on Lots 1 and 2 should be drilled, installed, and tested for adequate water supply prior to building permit issuance.
8. Lots are to be served by on-lot sewage disposal facilities, which must receive design approval from the Bucks County Department of Health prior to building permit issuance. Sewage Facilities Planning Module was executed by the Bucks County Department of Health and forwarded to the Township for signature by the Planning Commission, Zoning Officer and Board of Supervisors, prior to submission to PADEP. Planning module must be executed by the Township and forwarded to PADEP for approval, unless waived by PADEP.
9. Written verification of approval for proposed erosion and sedimentation control measures to be implemented during construction activity should be received from the Bucks County Conservation District. Verification of receipt of an NPDES permit from PADEP must be submitted to the Township prior to plan recordation.

10. Development/Financial Security Agreements should be executed between the applicant and Township to guarantee installation of required improvements. A Financial Security Estimate, dated September 8, 2004, prepared by Mease Engineering was submitted with the prior plan application. Financial Security Estimate will be reviewed by Wynn Associates under separate cover pending preliminary plan approval.

Seconded by Rob Zisko. Vote was unanimous (3-0)

Penn Meadows Subdivision/Schmoyer Inquiry – Jim McNamara stated he has not had an opportunity to discuss the matter with the attorney representing Mr. & Mrs. Schmoyer. He requested the matter be passed over at this time.

OLD BUSINESS

Silver Creek Estates – Letter of Credit from Harleysville National Bank which has been extended until 3:00 p.m. on May 18, 2005 is acceptable to the Solicitor.

NEW BUSINESS

2005 Proposed Budget – Acting Chairman Lamana explained the budget will be available to the public for 21 days. There is no tax increase proposed for 2005. The budget is available at the Township Building during regular business hours Monday through Friday. The Supervisors will vote to adopt the budget at the December 14, 2005 meeting.

PUBLIC COMMENT

Dennis Steskal complimented the Board on the repaving of Pleasant View Road.

Pat McGinnis discussed test wells.

Chuck Halderman stated the initial meeting to re-write the Zoning Ordinance was held on November 18, 2004. The group intends to look at wellhead protection and incorporate regulations into the new ordinance. Tincum Township has wellhead protection regulations in their Ordinance.

Bob Bell discussed Trooper Brown's lack of qualifications to be a police chief and other matters relating to former Chief McLaughlin.

Evergreen Estates – Major Subdivision-Bodder Road

Robert Sugarman representing the Bodder Road neighbors.

Mr. Sugarman stated the neighbors have concerns with this plan. Cooks Creek is an exceptional value stream. It is the position of the neighbors that the stormwater runoff in this area will flow into Cooks Creek and affect the entire watershed. This plan cannot be approved by DEP and a NPDES Permit cannot be issued. All stormwater contained on this site must be retained on site. A central issue here is will the stormwater be contained on the site. There are serious questions about the stormwater calculations. The detention basin is not adequate to handle forest to grass conditions. In Mr. Sugarman's opinion, preliminary plan concerns have not been resolved.

Eric Tobin, Eastburn and Gray, representing Gigliotti Group stated the Township Engineer did review the stormwater calculations in a letter dated 11/8/04.

Scott Mease stated the November 3, 2004 calculations were made on 50% trees. This is what the ordinance allows. Attorney Tobin stated the Township must enforce their ordinance.

Jim McNamara stated there are three out of the five Supervisors present this evening. Although this is a quorum, no decision can be made unless it is unanimous by the three members present. Jim asked if the parties are agreeable to tabling the matter until the December 14, 2004 meeting, since the clock does not run out until the end of January.

Rob Zisko moved to table the matter until December 14, 2004. No second; the motion dies.

Chuck Halderman moved to grant Final approval to Evergreen Estates. Seconded by Pete Lamana.

Discussion: Chuck does not agree with the calculations and is concerned that the area will not stay forested. On lot infiltrations should be dedicated to local municipalities. The calculations should reflect building for grass not forest.

Scott Mease stated 30% tree clearing of woods show a 50% woodland clearing. The maximum allowed is 50%. This plan proposes 30%. Attorney Tobin stated if the ordinance allows 50% the township has to enforce the ordinance.

Bruce Fritchman, representing the neighbors, believes the correct interpretation of the wooded area is agricultural, not woodlands. These trees were planted as a part of agriculture. "If I plant Christmas trees for an agricultural business this cannot be protected under the forest regulations. Plan shows what is there".

Mr. Tobin requested a three minute recess to discuss the matter with his clients.

Chuck Halderman withdrew his motion. All parties agree the matter will be listed on the December 14, 2004 Agenda for the Supervisors meeting.

SUPERVISORS COMMENTS

Chuck Halderman discussed a traffic impact study. He would also like to see a cell tower overlay included in the zoning ordinance. Chuck feels the developers should contribute to infrastructure expenses. Pete suggested Chuck put his ideas in the form of a proposal to be discussed by the Zoning Ordinance Committee.

Rob Zisko – No comments.

Pete Lamana stated the Township Manager, Barbara Smith will resign her position as of December 31, 2004.

Chuck Halderman moved to accept the resignation. Seconded by Rob Zisko. Vote was unanimous.

ADJOURNMENT

Rob Zisko moved to adjourn the meeting at 8:25 p.m. Seconded by Chuck Halderman. Vote was unanimous.

Respectfully Submitted

Barbara A. Smith
Manager