

**SPRINGFIELD TOWNSHIP, BUCKS COUNTY
BOARD OF SUPERVISORS MEETING
APRIL 12, 2005**

The meeting was called to order at 7:40 p.m. by Chairman Rod Wieder. Members present were: Vice Chairman Pete Lamana, Chuck Halderman, Rob Zisko and Jim Brownlow. Solicitor Jim McNamara was in attendance.

Mr. Wieder announced the Supervisors met in executive session prior to the meeting to discuss real estate.

MINUTES OF MEETING 2/22/05

Rob Zisko moved to approve the minutes as presented. Seconded by Jim Brownlow. Vote was unanimous.

MINUTES OF MEETING 3/8/05

Chuck Halderman requested the minutes be tabled to allow him to review the tape.

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

BILLS LIST 3/7/05 TO 4/8/05

The Treasurer presented a listing of bills to be paid from the General Fund totaling \$109,507.69. Pete Lamana moved to approve the bills list as presented. Seconded by Rob Zisko. Vote was unanimous.

REPORTS

Road Department and Code Enforcement Reports are posted on the bulletin board near the door of the meeting room.

Police Report – Chief Scott Huber reported a total of 107 incidents for the month of March. There were 7 reportable accidents and 6 non-reportable. The trial for the Knechts Bridge arson was held a week ago. The individuals involved have to pay \$70,000 restitution.

Resolution 2005-002 Police Officers' Hiring Policy – Chief Huber presented the policy to the Board.

Pete Lamana moved to approve Resolution 2005-02. Seconded by Jim Brownlow. Vote was unanimous.

Solicitor's Report – Jim McNamara had no report for the Board.

PUBLIC COMMENT AGENDA ITEMS

Dennis Steskal questioned Conduct at Public Meetings which is listed on the Agenda. Pete Lamana stated he will explain when we reach that point in the Agenda.

Dennis also asked if the open space linkage was reviewed with the Springtown Manor Plan. Jim Brownlow does not recall if open space linkage is shown on the plan. However, this will be addressed.

Helene Bell asked for a copy of the Police Hiring Policy.

Hans Reimann congratulated the Planning Commission on their rejection of the Rolling Hills proposal.

PLANNING MATTERS

Springtown Country Manor – The Planning Commission at their meeting on March 2, 2005, recommended Preliminary Approval with conditions.

Jim Brownlow moved to grant Preliminary Plan approval for Springtown Country Manor conditioned upon resolution of outstanding items listed in Wynn Associates letter dated July 1, 2003 and Kent Littlefield’s letter dated February 15, 2005. Seconded by Pete Lamana.

Discussion: Chuck Halderman asked Brad Lehr, Attorney for Reshetar Realty, if the applicant is willing to help the Township with the Springtown Water System. Chuck mentioned that the plan shows hydrants and there is not sufficient water to activate the hydrants. Mr. Lehr stated he was not prepared to discuss this matter, since this is a Preliminary Plan approval. He stated, and Robin Reshetar affirmed, the applicant is willing to work with the Township. He is not prepared to discuss specifics this evening.

Chuck requested the following be included in the motion:

“Springtown Country Manor and or its Owner acknowledges that Springfield Township and or its authority and or its managing company and or any entity that may have control of the water system does not have sufficient water storage capacity to service fire hydrants in owners proposed development. Owner agrees to provide notice to each purchaser of a home or lot within its subdivision that although the plans may or may not reflect installation of fire hydrants, said fire hydrants shall not be installed nor shall there be a water supply connected to the underground pipes for the fire hydrants. Owner agrees that the development will be constructed without fire hydrants”.

Also, he requested this be included.

“In accordance with the letter dated July 1, 2003 from C. Robert Wynn Associates, I am confirming the following with you:

There was a long discussion about the installation of the pipes, etc in the development. Scott Mease stated this project was considered when Spring Hill was before the Township. It is understood this is the responsibility of the developer and will be implemented. Scott also stated Springtown Manor has a letter from the Springfield Township Authority that states water can be provided for the development.

Chuck then stated the plan will not be approved unless the developer pays \$7,500 for each EDU connection.

Jim McNamara stated applicant will have to pay connection fee to be determined at the time the homes are connected. The developer is responsible to install all piping for the system and they will install the hydrants.

Attorney Lehr stated he looks forward to working with the Township and Robin Reshetar stated he is willing to discuss the water system situation.

Chuck requested the following be included in the motion:

That predicated upon the Township’s approval of the subdivision plan, the execution of all appropriate developer and financial security agreements and the payment of all fees in effect at the time, Springfield Township will provide water service to the project currently known as Springtown Manor.

Jim McNamara stated the “will serve” letter does not have to be addressed at Preliminary Plan approval.

Jim Brownlow stated the applicant is willing to discuss the matter. He will disclose to the homeowners the status of the hydrants. He is willing to work with the Township.

Jim Brownlow did not amend his motion to include Chuck Halderman's comments under discussion. Vote was unanimous (5-0)

Thornton Land Development – Rob Zisko moved to grant Preliminary approval subject to completion of all outstanding items contained within the March 22, 2005 engineering review letter from Wynn Associates. Seconded by Jim Brownlow. Vote was unanimous (5-0).

William Glazier - Rob Zisko moved to grant Final plan approval subject to completion of all outstanding items as contained within the March 29, 2005 engineering review letter from Wynn Associates and to include a note on the record plan indicating that the parcels cannot be further subdivided, as required by the Zoning Hearing Board decision. Seconded by Chuck Halderman. Vote was unanimous (5-0)

Rolling Hills Subdivision - The Planning Commission voted 3-2 to recommend that the application be returned to the applicant due to inadequacies contained in the submission materials as indicated in the March 28, 2005 engineering review.

Jim McNamara referred to Wynn Associates letter dated April 7, 2005 regarding Rolling Hills Subdivision and your statement your office does not recommend approval of this action. Jim McNamara does not support the action. The subdivision was accepted at a previous planning commission meeting. The engineering review was completed and the fees were deposited.

Chuck Halderman moved to reject the Rolling Hills Subdivision plans based on the outstanding items listed in Wynn Associates letter dated March 28, 2005 and the Bucks County Planning Commission review dated March 15, 2005.

Rob Zisko seconded. There was lengthy discussion. Vote was Chuck Halderman – Yes (reject the plan) Wieder, Lamana, Brownlow and Zisko – NO.

Pete Lamana moved to send the Rolling Hills Subdivision back to the Planning Commission Rob Zisko Seconded. Vote Pete Lamana, Rod Wieder, Rob Zisko and Jim Brownlow – YES. Chuck Halderman – NO.

Supervisors sent the plan back to the Planning Commission to continue the process.

PUBLIC HEARING ORDINANCE #129

AN AMENDMENT TO THE SPRINGFIELD TOWNSHIP ZONING ORDINANCE TO AMEND THE ZONING MAP TO CHANGE AN AREA OF LAND BETWEEN STATE AND PLEASANT VIEW ROADS FROM THE DD TO AD ZONING DISTRICT, TO REVISE WETLAND PROVISIONS, TO REVISE THE WS DISTRICT PROVISIONS, TO REVISE PROVISIONS ALONG WATERWAYS, TO REVISE RESOURCE PROTECTION AND AGRICULTURAL SOIL PROVISIONS, TO REVISE THE AD DISTRICT, TO ALLOW GOLF COURSES IN ADDITIONAL ZONING DISTRICTS, TO REVISE THE CLUSTER HOUSING PROVISIONS, AND TO REVISE THE USES THAT ARE ALLOWED IN THE VC AND PI DISTRICTS.

Jim McNamara stated as required by the Municipalities Planning Code the Ordinance has been duly advertised and the public hearing announced for the meeting this evening to amend the zoning ordinance. The Solicitor asked if there is any comment from the public.

Bart Fleishman asked if the ordinance is being adopted to address the issue just voted upon.

Hans Reimann discussed the submission of Rolling Hills to beat the Ordinance Amendment.

Charlie Schmehl, Representing the Urban Research and Development Corporation and working as a consultant to the Township gave an overview of the Amendment.

The Township adopted a new Comprehensive Plan in 2003. Charlie explained the planning commission is currently working on re-writing the Zoning Ordinance. This process will take approximately one year. Certain critical areas were identified at the start of the process and the planning commission has been working on the proposed high priority zoning amendment for the past several months.

Zoning Map – One Zoning Map change is proposed to carry out the Township’s Comprehensive Plan and to recognize that central sewer services are not proposed in the Pleasant Valley area. The Zoning Map is proposed to be amended to change an area west of the village of Pleasant Valley that is generally between Pleasant View Road and State Road. The change would be from the DD Development District to the AD Agricultural District. A few properties on the west side of Sideline Road would be changed to the VR Village Residential District, which would not be a major change in density. The remainder of the Zoning Map would remain unchanged under this amendment.

Wetlands – It is common to require some type of buffer area around wetlands to protect water quality and avoid intrusions, particularly by construction equipment. The Township already requires a buffer/margin around wetlands. One section states the buffer is 75 feet while another section says it is 25 feet. The proposed amendment would require a 75 feet buffer for larger wetlands and a 25 feet buffer for smaller wetlands.

Watershed District – The Watershed Zoning District includes land that is north of Springtown. Much of this land is steeply sloped. This zoning district currently requires a 10 acre minimum lot size in all cases. To make this zoning more defensible, the amendment would vary the lot size based upon the natural features. A 5 acre lot size would be required, which would increase to 8 acres if any of the proposed building area has 15 to 25% slopes, and 10 acres if any of the proposed building area has over 25% slopes. In addition, density would be limited based upon the natural features of the tract. An average of 0.2 dwelling units per acre would be allowed on the new buildable land areas, after deleting certain natural features, such as wetlands.

Waterway Buffer – The Township already has a 75 feet wide buffer requirement from the edges of creeks. The proposed amendment would measure this buffer from the center instead of the edge, because that is easier to measure. The buffer width would be increased to 12.5 feet. If a creek is 30feet wide, the buffer would be 100 feet from the edge.

Agricultural Soils – The Township already has provisions requiring that a percentage of the prime agricultural soils must be preserved within the AD Agricultural zoning district. That type of requirement was upheld in a State Supreme Court decision. There has been a concern that these agricultural soils might be placed in slivers of land or stormwater detention basins that will never be usable for agriculture. The proposed amendment would require that the preserved agricultural soils must be placed in a lot that is usable for agriculture.

Natural Feature Density Calculations – In Springfield Township and throughout Bucks County, a “performance-based” zoning system is used to calculate density. This system deducts certain percentages of various natural features. The density is then based upon the net buildable land area. For example, wetlands and floodplains are deleted before calculating density. The proposed amendment would clarify these provisions and would require that these provisions apply to additional types of development, such as cluster housing.

Golf Courses – The amendment would allow golf courses in the DD, VC, VR, HC and PI zoning districts, where they currently are not allowed. Conditional use approval from the Supervisors would be required.

Cluster in the AD District – The current AD Agricultural District requires 3 acre minimum lots, with smaller lots allowed through a cluster option. This approach would be continued. However, the cluster options would

be refined. A cluster development could not result in more than 20 percent additional housing units compared to what is possible under the regular 3 acre zoning.

Cluster Development – Whenever the cluster development option would be used, a minimum of 50 percent of the required open space would need to be in one contiguous tract. This is intended to avoid isolated slivers of “leftover” land counting as open space.

Retail and Gas Stations – The amendment would prohibit retail stores of over 25,000 square feet in the PI Industrial district (which is along parts of the Route 309 corridor). The amendment would also prohibit new gas stations in the VC Village Center district, which includes Springtown.

Tat Moyer asked what is usable open space. Charlie replied half has to be inter connected to each other on the property. Would like to see open space connect on the next property also. The goal is to provide for a broad number of choices.

Stuart Ackerman questioned the change to the Development District, regarding B-14 Townhouse 25,000 square feet tract size. Charlie explained that to build a townhouse, central water and sewer would be required. The tract size would need to be over one half acre. In DD, all commercial is out.

Anthony Mazura asked if the move from DD to VR is significant. Charlie explained there were a couple of properties on Sideline Road that made sense to designate VR instead of AG. These properties are small and there are no plans for water and sewer in the area.

Paul Mondschieen stated he owns 40 acres in the DD why change from one extreme to the other. Why not RR instead of AD.

Charlie explained the Comprehensive Plan was followed. Chuck Halderman stated a decision was made not to provide water and sewer in Pleasant Valley. The ordinance needed to be changed to be consistent with the Comprehensive Plan.

Jim McNamara explained a Township must do a Comprehensive Plan every 10 years. The village of Pleasant Valley is not seen as a growing area.

Attorney Rob Gundlach discussed tax parcel 42-12-105 and the affect the Ordinance Amendment would have on that parcel. Attorney Gundlach also discussed the Development District and AD District and how the proposed changes relate to that district.

Sarah Orbach supports the changes to the Ordinance in support of open space.

Ann Dunlap explained her property is deed restricted and they do not feel they lost any money when the sold two parcels.

Cindy McCurdy owns a 22 acre parcel and is proud to be in the Agricultural District.

Steve Wessel thanked the Planning Commission for their stand on Rolling Hills.

With no further public comment, Solicitor McNamara turned the meeting over to the Chairman.

Pete Lamana moved to adopt Ordinance #129, **AN AMENDMENT TO THE SPRINGFIELD TOWNSHIP ZONING ORDINANCE TO AMEND THE ZONING MAP TO CHANGE AN AREA OF LAND BETWEEN STATE AND PLEASANT VIEW ROADS FROM THE DD TO AD ZONING DISTRICT, TO REVISE WETLAND PROVISIONS, TO REVISE THE WS DISTRICT PROVISIONS, TO REVISE**

PROVISIONS ALONG WATERWAYS, TO REVISE RESOURCE PROTECTION AND AGRICULTURAL SOIL PROVISIONS, TO REVISE THE AD DISTRICT, TO ALLOW GOLF COURSES IN ADDITIONAL ZONING DISTRICTS, TO REVISE THE CLUSTER HOUSING PROVISIONS, AND TO REVISE THE USES THAT ARE ALLOWED IN THE VC AND PI DISTRICTS. Seconded by Chuck Halderman. Vote was unanimous.

OLD BUSINESS

ROTHMAN GORDON – Letter dated March 16, 2005 regarding Engagement of Services, Service Electric Cable Contract Negotiations. Pete Lamana moved to authorize Rothman Gordon to act on behalf of Springfield Township in the negotiations with Service Electric Cable for a new contract. Seconded by Chuck Halderman. Vote was unanimous.’

CHAIRMAN CALLED FOR A FIVE MINUTE RECESS (9:10 p.m.)

Meeting called back to order at 9:20 p.m.

WELLHEAD PROTECTION – MAPPING OF SILVER CREEK

Pete Lamana recognized Scott Douglas who was present at the meeting. Pete explained that Scott would like permission to conduct a stream corridor assessment on approximately 30 properties in the Township. This is in cooperation with the Source Water Protection Plan for the Springtown water supply system which is currently being developed. The consultant working with the Township defined an area of concern that includes the entire Silver Creek portion of Cooks Creek Watershed.

Scott explained that the USGS maps do not clearly show certain areas and it is necessary to investigate on the ground. The Township could hire someone to do the work or use volunteers. Volunteers were used to assist with the Cooks Creek Study a few years ago.

There was some confusion about the number of parcels originally designated for the study. Scott has reduced the number to about 30. An Eagle Scout and boy scouts, under the supervision of adults, will do the work. Scott anticipates it will take three days to complete the entire project.

Jim McNamara is concerned that notice be given and permission granted by the property owners prior to entering a property. Scott Douglas will make contact with the property owners to gain access. Chuck Halderman moved to grant permission to allow the project to proceed under the direction of Scott Douglas. Seconded by Pete Lamana. Rob Zisko would still like to see written permission by the property owner to cover the Township for any liability. Vote was Pete Lamana, Rod Wieder, Jim Brownlow and Chuck Halderman – YES. Rod Zisko – NO.

APPLICATION BY SOLTYSIAK TO INCLUDE PROPERTY IN AG SECURITY DISTRICT

Rob Zisko moved to accept the application by Stephen Soltysiak to be included in the Agricultural Security District. Seconded by Jim Brownlow. Vote was unanimous.

2004 AUDIT – AUTHORIZE PAYMENT OF AUDITORS

Pete Lamana moved to authorize the Treasurer to pay Frank Nekoranic and Edward Riter for their time spent performing the 2004 audit. Seconded by Chuck Halderman. Vote was unanimous.

CONCERNED CITIZENS – SPRINGTOWN WATER COMPANY - CAROL MEASE

Carol Mease, representing concerned citizens of Springtown, presented a petition signed by 190 residents. The citizens would like the Board to investigate reasonable costs for the improvements to the water system, the location of the tank and provide a time table for the repairs. Also, Grants should be pursued.

Jim Brownlow appreciates the interest of the residents. He assured them the Supervisors intention is to make the best decision possible for the users of the Springtown Water System. Carroll Engineering did a study of the water system and reported on what needs to be done to upgrade the system. Questions have been raised about the conclusions of the study. Carroll Engineering does work for Bucks County Water & Sewer Authority. Jim believes the concerns about a possible conflict of interest are legitimate.

Jim Brownlow moved to hire an engineer to look at the water system in Springtown and report to the Supervisors. This report would be completed without information gathered by Carroll and the results independent of the previous studies. Seconded by Pete Lamana.

Pete Lamana stated the Supervisors are faced with three possible outcomes: Retain the system and activate the Township Authority. This would mean jobbing out the repairs. If we go in this direction, we would need to hire one person to take care of chemicals and watching the system.

We can sell the system. Or, we can stay as we are. Bucks County Water & Sewer Authority run the system. Pete believes the users should have a say in what the decision will be. Pete feels it is important to get an independent study. Rob Zisko would like to keep the system in Springtown. He does not favor expanding the system out of the village. Rob wants the residents to know, this is not an easy decision. Chuck Halderman is glad the Board is agreeable to get another opinion. All of the Board members have visited the springs, so they have a better feel for what is there.

Rob Wieder stated he wanted to do what was best for the residents of Zion Hill in 1996/1997. What was done turned out to be the wrong way to solve the problem. Unfortunately he was proven to be right. Rod doesn't want to make a mistake with the Springtown System. He believes getting an independent engineering study is the right thing to do. Vote was unanimous.

The Supervisors requested Jeff Mease to get information from engineering firms and forward it to the Board. The Board will choose a firm from the information provided.

RESOLUTION 92-2 – CONDUCT AT PUBLIC MEETINGS

Pete Lamana feels the Resolution as it currently reads contains some ambiguity, particularly numbers 8 and 9. The new proposal is as follows:

Item 8 – Should an expressed concern or question require more than the allotted time **before the Board require more than the allotted time, then the matter should be tabled and scheduled as an Agenda item at the discretion of the Board.**

Item 9 – The Board reserves the right **by majority vote** to take any matter under advisement for the purpose of researching the facts and providing an answer at the next meeting.

Pete Lamana moved to amend Resolution 92-2 as presented. Seconded by Jim Brownlow. Chuck Halderman cannot go along with Item 8. Chuck feels we do not need discretion of the Board. The matter should be discussed at the next regular meeting as it currently states. Item 9 is ok.

Jim McNamara stated the right of the public to comment is recognized at the beginning of the meeting under Public Comment. If there is not sufficient time for residents to comment the Board may defer the comment period to the next regular meeting.

Jim Brownlow feels automatically deferring a matter to the next agenda results in a loss of control of the agenda. Jim Brownlow agreed to amend the motion to read: Item 8 – Should an expressed concern or question require more than the allotted time before the Board to resolve, then the matter **should be tabled and scheduled as an Agenda item at a subsequent meeting of the Board.** Vote was unanimous.

Zion Evangelical Lutheran Church – Request for Waiver of Land Development Plan

Pete Lamana referred to a letter from Bob Wynn dated March 4, 2005. This request for a Waiver of Land Development refers to the construction of a 25 x 40 feet pavilion which is an Eagle Scout project. Wynn Associates recommends the Board of Supervisors waive requirements for submission of a land development plan. Pete Lamana moved to grant a waiver of Land Development for Zion Evangelical Lutheran Church for construction of a 25 c 40 feet pavilion. Seconded by Rob Zisko. Vote was unanimous.

Neiss Property – Request by Heritage Conservancy to partner to preserve 30 acres on Richlandtown Pike (\$25,000. from Springfield Township Open Space Fund)

Rob Zisko moved to authorize a donation of \$25,000.00 to partner with Heritage Conservancy to preserve the 30 acres of the Neiss Property. Seconded by Jim Brownlow. Vote was unanimous.

PUBLIC COMMENT

Tat Moyer commented on the changes to Resolution 92-2.

Dennis Steakal –commented on the Mapping of Silver Creek.

Robert Bell – commented on the appointment to the Vacancy Board at the Re-organization meeting January 3, 2005

Charlie Mease – commented on the Springtown Water System

Stefani Campbell – commented on the petition presented to the Board by the residents of Springtown.

James Nelson commented on public notice for the Zoning Ordinance Amendment.

Rose Strong, Bucks County Herald suggested a press release to notify the public of important issues before the Board.

Hans Reimann commented on the advertising requirements for Townships.

CORRESPONDENCE

Letter from Haycock Township regarding a change to their official map.

SUPERVISORS’ COMMENTS

Chuck Halderman thanked David Rice, the Fire Company and Fire Company auxiliary for their efforts during the recent flooding in Riegelsville.

Chuck thanked the Board for reconsidering the water system.

Jim Brownlow expressed his appreciation to the road department for their continuing efforts. Jim believes this group is taken for granted and dos not get enough thanks for the good job they do.

Rob Zisko stated the Board puts the best interests of the residents first when they make a decision. They try to do what they think is right. The negativity has to stop.

Rod Wieder apologized for leaving the March meeting. He does not believe the press accurately reported on the situation. Rod stated he announced he was not feeling well before he left the meeting. He has always tried to do what is right for everyone.

ADJOURNMENT

Rob Zisko moved to adjourn the meeting at 10:25 p.m. Seconded by Jim Brownlow. Vote was unanimous.

Respectfully Submitted

Barbara A. Smith
Secretary