

**Milford Township Board of Supervisors’  
Minutes of January 3, 2023 Re-Organizational Meeting**

**Call to Order:** Chairman Charles Strunk called the meeting to order at 7:00 p.m.

**Attendance:** Supervisors present: Charles Strunk, Chair; Thomas Courduff, Vice Chair; and John Mininger, Member. Staff present: Jeffrey Vey, Township Manager; Devan Ambron, Secretary; Peter Andersen, Township Engineer; Kate Harper; Township Solicitor; David Winkler, Public Works Director; Gregg Kravitsky, Code Enforcement; and Christopher Kletzing, IT Manager.

**Appointment of Temporary Chair and Temporary Secretary:**

Mr. Strunk appointed Mr. Vey to Temporary Chair and Mrs. Ambron to Temporary Secretary.

**Nomination of Permanent Chair and Vice Chair:**

Upon nomination by Mr. Courduff, seconded by Mr. Mininger, Mr. Strunk was nominated as permanent Chair, no other nominations were presented, the Board unanimously appointed Mr. Strunk as Chair.

Upon nomination by Mr. Mininger, seconded by Mr. Strunk, Mr. Courduff was nominated as Vice Chair, no other nominations were presented, the Board unanimously appointed Mr. Courduff as Vice Chair.

**Resolution No. 2023-01, Appointments, Reappointments and Modifications of Appointments:**

Mr. Strunk presented the Board with the list of Appointments, Reappointments and Modifications of Appointments for 2022.

	<u>Term Expires</u>
Township Manager	Jeffrey Vey
Bond Requirement	\$2,000,000.00
Township Solicitor	Timoney Knox, LLP (Fees outlined in Fee Schedule)
Township Engineer	Andersen Engineering (Fees outlined in Fee Schedule)
Township Traffic Engineer	SAFE Highway Engineering, LLC (Fees outlined in Fee Schedule)
Assistant Manager	Devan Ambron
Township Secretary	Devan Ambron
Township Treasurer	Devan Ambron
Bond Requirement	\$3,000,000.00
Designation of Official Depository	PLGIT, QNB, TD Bank and Univest
Code Enforcement	Gregg Kravitsky
Zoning Officer	Gregg Kravitsky
Building Code Official	Gregg Kravitsky
	Barry Isett & Associates (Third Party)
Assistant Zoning Officer	Jeffrey Vey
Public Works Director	David Winkler
Elected Real Estate Tax Collector	Betsy Moyer (4-Year Term) 12/31/2025
Earned Income Tax Collector	Keystone Collections Group
Local Tax Collector	Betsy Moyer (4-year Term) 12/31/2025
Independent Auditor	Styer Associates
Zoning Hearing Board (3-Year Term)	Cameron Waite, Member 12/31/2023
	Christian Haberle, Member 12/31/2024
	William J. Buchanan, Member 12/31/2025
	Mark Schlosser, Alternate 12/31/2024
	Timothy Johnson, Alternate 12/31/2025
Zoning Hearing Board Solicitor	High Swartz LLP
	Thomas E. Panzer, Esquire

Mr. Courduff made a **MOTION** to approve **Resolution 2023-01**, Appointments, Reappointments and Modification of Appointment. The motion was seconded by Mr. Strunk and passed unanimously.

**Resolution No. 2023-02, Establishing Earned Income Tax Rates for 2023**

Mr. Strunk stated the earned income tax rate for 2023 remains 1.75% which is divided between the following entities: 1% to the Quakertown Community School District, 0.50% to Milford Township General Fund, and 0.25% to Milford Township Open Space Acquisition Fund. The universal nonresident withholding rate is 1%. Keystone Collections Group was appointed tax collector to collect the Earned Income Tax effective January 1, 2011 for the Bucks County Tax Collection District.

Mr. Strunk made a **MOTION** to approve **Resolution No. 2023-02**, Establishing the Earned Income Tax Rates for 2023. The motion was seconded by Mr. Courduff and passed unanimously.

**Resolution No. 2023-03, Real Estate Tax:**

Mr. Strunk stated the Real Property Tax for road, bridge, and general purposes is 000.75 mills and 1.25 mills for support of Fire Companies who serve Milford Township.

Mr. Strunk made a **MOTION** to approve **Resolution No. 2023-03**, Levying a Tax Upon Real Property. The motion was seconded by Mr. Courduff and passed unanimously.

**Resolution No. 2023-04, 2022 Fee Schedule for Services:**

Mr. Strunk made a **MOTION** to approve **Resolution No. 2023-04**, Fee Schedule for Service with no revisions. The motion was seconded by Mr. Mininger and passed unanimously.

**Resolution No. 2023-05, Street Light Assessment:**

The Street Light Assessment consists of 20 Street Lighting Districts with a total of 138 streetlights. The assessment ranges from \$18.00 to \$230.00 per property located in the district. The assessment is based off the cost to operate the streetlights.

Mr. Strunk made a **MOTION** to approve **Resolution No. 2023-05**, Street Light Assessment. The motion was seconded by Mr. Courduff and passed unanimously.

Mr. Mininger was nominated by Mr. Strunk as the Voting Delegate for Milford Township at the 2023 PSATS Convention being held at Hershey Lodge on April 23 through April 26, 2023.

Mr. Courduff made a **MOTION** affirming that Mr. Mininger would be the Voting Delegate of Milford Township at the 2023 PSATS Convention being held on April 23 through April 26, 2023. Mr. Strunk seconded the motion.

With their being no further business, Mr. Strunk adjourned the re-organizational meeting at 7:06 p.m.

**Milford Township Board of Supervisors’  
Minutes of January 3, 2022 Meeting**

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**Attendance:**

Supervisors present: Charles Strunk, Chair; Thomas Courduff, Vice Chair; and John Mininger, Member. Staff present: Jeffrey Vey, Township Manager; Devan Ambron, Secretary; Peter Andersen, Andersen Engineering; Catherine Harper, Township Solicitor; David Winkler, Public Works Department; Gregg Kravitsky, Code Enforcement; and Christopher Kletzing, IT Manager.

Chairman Strunk called the Regular Meeting of the Milford Township Board of Supervisors to order at 7:06 p.m.

**Approval of Minutes:**

Mr. Courduff made a **MOTION** to approve the Board of Supervisors Meeting Minutes of December 6, 2022 and December 20, 2022 as presented. Mr. Mininger seconded the motion. The motion passed unanimously.

**Financial Report:**

Having reviewed the current bills list, Mr. Strunk made a **MOTION** to approve the invoices for payment, along with the Treasure’s Report of November 30, 2022. Mr. Courduff seconded the motion. The motion passed unanimously.

The board was presented with the State Audit of Liquid Fuels Fund. No comments were received.

**Land Development:**

**Moyer Milford Square Sketch Plan, 3-Lot Subdivision, 2060 Allentown Road, TMP 23-10-081.** Mr. Scott Mease was in attendance to present the proposal. Mr. Mease stated the plan was brought before the board two months ago. Mr. Mease gave a brief description of the proposal. The applicant proposes to subdivide the property into three lots. Lot 1 will consist of the existing family dwelling and lot 2 and lot 3 will be improved with a single-family dwelling. Each lot will be greater than .5 acres in size. The applicant appeared before the Planning Commission who were in favor of the subdivision. One issue discussed at the Planning Commission meeting was the lack of a public water line as this property is located in the public water district. The closest water line is located at the intersection of Milford Square Pike and Allentown Road. The applicant had submitted a waiver request to the water authority. The Water Authority discussed the waiver request at a public meeting which the applicant was unaware of. It was stated the applicant would need to connect to public water. Mr. Mease stated the waiver was then discussed a second time with himself and the applicant in attendance. A cost estimate was discussed with Mr. Andersen and Mr. Koenig. Mr. Mease stated the costs involved are feasible for a larger subdivision not a 3-lot subdivision as the costs would range upwards of \$300,000. Mr. Courduff asked if there was any consideration given on cost sharing. Mr. Mease stated not at this time. Mr. Mease said before his client moves ahead with a preliminary plan, he would like to discuss the issue. Mr. Courduff stated there are several issues. The property is located within the public water service area and this township spent a lot of money running a 12” water main and it was his thought that at some point fire hydrants and water extension lines would be installed. Mr. Courduff stated what he thought was to happen was the client and the Water Authority would hash out cost sharing. Mr. Mease stated cost sharing was not mentioned at all. Mr. Courduff stated there should have been some sort of negotiation worked out. Mr. Strunk stated the recently approved Foulkes Mill Road development will be installing a 12” main down Allentown Road. Mr. Strunk stated there are no public improvements proposed with this plan. Mr. Mease stated he is confused on who drives the boat as the Board of Supervisors stated they are on board with what the Water Authority recommends. Mr. Strunk replied that the Board does not have to agree with the Authority. Mr. Courduff stated as he recalls that is what was said, however; he was hoping the Water Authority would sit and negotiate, public water and fire protection. Mr. Courduff stated there might be a day when the wells dry up. Mr. Mease stated his client had a discussion with a well driller who stated there would be plenty of water and a filter would be needed for potable water. Mr. Courduff stated he agrees, the water is full of iron and manganese, and it is very expensive on-going treatment adding chemicals and replacing filters. Mr. Courduff stated he feels as though the community would be short

changed with this proposal. The applicant, Mr. Ralph Moyer stated the Authority did suggest if the line ever comes up Allentown Road, the lots should be required to tie into public water service and abandon the well which could be done with a deed restriction. Mr. Mininger stated the applicant could go back to the Water Authority to discuss cost negotiations. Mr. Moyer stated he does not feel all the back and forth is right. Mr. Courduff stated recommendations must be made on what is in the best interest of the community and having public water is in the best interest. Mr. Andersen stated he estimates the cost to be \$600,000 to run a line from the Milford Square Pike intersection to the northern property line. Mr. Mease stated his client would like to submit the proposal as preliminary plan and is looking for feedback. Mr. Courduff stated beside the public water issue he has no other issues with the proposal as the subdivision makes sense in that area. Mr. Mininger stated he sees no problems with the proposal other than the cost sharing issue. Mr. Courduff asked Mr. Andersen if something is being missed. Mr. Andersen stated there is always a way to work something out. The cost is very high but it may be able to be fine tuned. Mr. Vey recommended the applicant make a preliminary plan submission and the water issue be revisited at that time. Mrs. Harper recommended the engineers get together to discuss the plan moving forward. Mr. Moyer stated he will have a conversation with the Board of Health to determine the costs associated to ensure the well water is potable. Mr. Mease stated he feels they now have a direction to move in. Mr. Courduff stated he appreciates the cooperation.

**Rotenberger 3-Lot Subdivision, Concept Plan, 2330 Milford Square Pike, TMP 23-010-172.** Mr. Mease presented the proposal on behalf of the applicants, Jim and Pam Rotenberger. Mr. Mease stated the property extends from Milford Square Pike to Route 663 with an existing single-family dwelling along Milford Square Pike. The applicants propose to create 2 lots for their children. The newly created lots would access Milford Square Pike and access to Route 663 would be restricted. An easement would be placed on lot 1, granting a shared driveway easement to access lot 2 and lot 3. Route 663 would be used to meet road frontage requirements only. The property is serviced with public water and public sewer. Mr. Mease stated the plan is brought before the Board tonight due to the possible road issue. The applicant does reassure there will be no access onto Route 663. Mr. Courduff stated the plan looks straight forward. Mr. Vey noted the lane lot must meet the zoning requirements. Mr. Mease stated the applicant also proposed a deed restriction that will follow the property. There were no further comments.

#### **Other Business:**

Mr. Vey presented a Sewage Facility Planning Module for 1930 Titlow Road, TMP 23-01-017. The applicant proposes to build a single-family dwelling with an attached in-law suite. Mr. Vey stated the proposal complies with the zoning ordinance.

Mr. Strunk made a **MOTION** to approve **Resolution No. 2023-06**, Sewage Facility Planning Module for 1930 Titlow Road, TMP 23-01-017. Mr. Mininger seconded the motion. The motion passed unanimously.

#### **Correspondence:**

Mr. Vey reported a merger of Souderton Community Ambulance Association Inc. into Volunteer Medical Service Corps of Lansdale is anticipated to take place on April 1, 2023. There will be no change in service with the merger.

**Bucks County Airport Authority Meeting Minutes.** Mr. Mininger presented the meeting minutes of November 9, 2023. Mr. Mininger stated the Terminal Rehab project is ongoing. The contractor failed to foam insulate but it is being handled.

**Milford Township Water Authority Meeting Minutes.** Mr. Vey reported the meeting minutes of November 15, 2022 reflect the draw down of financial security for the Millstone at Parkside project and the Gorski New Road Warehouse project along with escrow releases for the Milford Village Mill Hill Road East project, the Naplin 2 project, and the St. Luke's Hospital project. A preconstruction meeting for Naplin 2 took place on October 27, 2022 and a discussion was had on the Moyer Subdivision water main.

**Milford Trumbauersville Area Sewer Authority Meeting Minutes.** Mr. Vey reported the minutes from the November 21, 2022 meeting discussed routine business and are available for review. Mr. Courduff stated there was a change of Board members and again the township was not notified and noted as a courtesy the township should be notified of these changes. The Authority should also notify Trumbauersville Borough of the changes. Mr. Bob Smith of the Authority was in attendance. Mr. Courduff asked Mr. Smith if he had any comments about business. Mr. Smith stated the Authority is waiting on the sewer district map so they can proceed with the rerating of the plant. Mr. Vey stated they have a base to work with and Mr. Valentine said he is willing to go over the map even though he is no longer on the board. Mr. Vey said in the next week or two a meeting will be had with Mr. Koenig, Mr. Valentine and Mr. Andersen and he hopes to have a draft to present at the February meeting. Mr. Courduff asked about copper discharges from the plant. Mr. Smith stated a copper study must be performed and may take up to a year to complete. Mr. Courduff stated a comment was made at the last meeting regarding private wells and the low pH acidic value and feels what could be happening is there etching of the copper tubing in residential lines and the copper is entering the sanitary sewer. Mr. Courduff asked Mr. Smith if he could speak to the upgrade. Mr. Smith said they will be replacing the liner in the lagoon this year and all other systems have been upgraded. Mr. Courduff asked how the permit fairs in regard to capacity. Mr. Smith said when the plan was prepared there was leeway given for the expansion, however; Milford Village has now requested more EDU's than was planned and the request cannot currently be met.

### **Reports:**

**Code Enforcement Departmental Report.** Mr. Kravitsky presented the December 2022 Code Enforcement Report. A total of 19 permits were issued in December. There were no Zoning Hearing Board applications received and no fire inspections were performed. A total of 7 Use & Occupancy permits were issued.

**Public Works Departmental Report.** Mr. Winkler presented the Public Works December 2022 Departmental Report. Mr. Winkler stated the crew finished putting up snowplow stakes throughout the township. The insulation work was completed on the Hamilton modular. Dead ash trees were removed at the Bast property and Dave's services helped the crew remove a large number of dead trees along Parkside Trail. The crew was out a total of five times to salt this month. Mr. Mininger stated the Bast property looks great.

**Park Board Meeting Minutes.** Mr. Vey presented the Park Board Meeting Minutes of December 14, 2022. Mr. Vey reported the Milford Township Volunteer Fire Company will be filling the ice-skating pond in the next week or two. The Board was happy to hear the Fernbrook Park pavilion would be removed. A discussion was had on the status of the splash pad which is on track for Spring of 2023. It was reported that the Barrel Run Trail and Tollgate Landing Trail has been approved by the current HOA. The Board discussed a youth trail challenge and ways to implement proof or participation by either geo-caches, painted rocks or QR codes.

**Milford Fire Company Report.** Mr. Sink was in attendance to present the December 2022 Report. A total of 28 calls were received in December and a total of 366 calls for 2022. The Fire Company was awarded a FEMA grant which has been perused for the last year and half. The grant will be used to pay for a compressor and fill area. Mr. Courduff asked if the grant writer had a hand in the Fire Company being awarded the grant. Mr. Sink said yes, the writer was able to fix the issues that FEMA had in the system, and they will be using them again this year for replacement gear. The Fire Company conducted a preplan tour of the new St. Luke's West Wing expansion, where there is a radiation room with 3' thick steel walls. The Fire Company obtained good information. Mr. Sink reported the Santa Run was a great success. The special services vehicle order was accepted and is expected to be built January 16, 2023. Mr. Courduff asked Mr. Winkler if confirmation has been received for our trucks. Mr. Winkler stated the order was submitted and no dates have been given. Mr. Sink stated the Deputy truck is in the process of being built right now. Mr. Sink stated the Fire Company had a crew of 5 stand by in New Trapoli following the death of the two fire fighters who were tragically killed in the line of duty. Mr. Courduff asked how many new members there are. Mr. Sink said four and there is another candidate being interviewed this evening. There are quite a few younger firefighters who are very active.

**Trumbauersville Fire Company Report.** Mr. Justin Mallery was in attendance to present the Trumbauersville Fire Company Report. Mr. Mallery stated the Fire Company finished with a total of 302 calls for 2022. Some notable calls were 25 building fires, 6 vehicle fires, 12 brush fires, 8 extrications, 38 accidents, and 33 fire police calls. 176 of the responses were in Milford Township and 70 were first due. On December 15, 2023 the Fire Company also sent a crew of 5 members to New Tripoli to assist. The chassis for Tanker 58 should be done this month and delivery should be made in July. The new tanker holds 3500 gallons of water. There was talk to go to 4000 gallons but it was determined it would make the truck too large and cumbersome to utilize some roadways and driveways. The command Tahoe should be here in May and put in service by June. Mr. Courduff asked what the status is regarding Emergency Management Coordination with Ms. Bobb. Mr. Vey stated he spoke with Ms. Bobb and a sit down meeting will be had. Mr. Courduff stated Milford has obtained an emergency shelter location and maybe Trumbauersville Borough could work with Trumbauersville Elementary to work something out as well. Mr. Courduff further stated he would like the Emergency Coordinators to work together to pull a team together.

**Managers Report.** Mr. Vey reported the Portzer Road and Old Bethlehem Pike detour is in effect. Mr. Vey asked Mr. Winkler if there has been many issues reported so far. Mr. Winkler stated there was an issue with a detour sign at Clover Lane which has been rectified. Mr. Winkler stated it is still the beginning of the detour and people will find their way. Mr. Vey stated Faith Christian Academy plans to expand their parking lot, which will help get people off the road. The detour sign is up at Zionhill Road and Mr. Vey feels Pumping Station Road will be utilized the most.

Mr. Vey stated the Milford Village Conditional Use hearing is scheduled to take place in two weeks. The SAFE Engineering review letter contains 18 comments and talks about when the traffic counts were made and he feels the internal traffic as well as the traffic at the nearing intersections should be looked at. Communications had with one of the Supervisors adamantly oppose any lefts into the site and the potential problems that could be caused at Old Bethlehem Pike and Mill Hill Road if a left is permitted. Mr. Vey stated maybe there is a way to reconfigure Abby Lane in a way to not have a straight shot at Mill Hill Road. Mr. Vey further stated that the Retail Apartment Use hasn't been looked at in regard to traffic. Mr. Courduff asked Mrs. Harper when it would be a reasonable time to respond to the queries. Mr. Harper stated the Board has 45 days following the hearing to render a decision and said the applicant should give us answers at hearing. Mr. Strunk asked if zoning strictly prohibit more than 2 entrances, to which Mr. Vey responded yes, two to the site, however; that is not before us right now and will be handled at Land Development. Mr. Strunk asked how zoning gets handled as it cannot be waived. Mrs. Harper stated that could be part of the Conditional Use decision. Mr. Vey stated the Master Plan has verbiage in for Driveway B and Abby Lane is proposed as a cul-de-sac, both are shown as an access point. Mr. Andersen stated Abby Lane is shown on the Seventh Revised Master Plan as a temporary cul-de-sac with the intent to connect to Route 663 when another section of Milford Village is developed which can only happen with the widening of 663. It was also noted that the property may be being sold. Mr. Courduff asked Mrs. Harper how it would be handled if the applicant sells a portion of the site. Mrs. Harper stated that is why it is important to have the triggers noted on the plan. Mr. Vey stated LifeQuest has gotten on board with supplying a traffic study with every land development proposal. Mr. Vey stated he will be setting up a Zoom meeting for a status update and noted the applicant would not be averse to a continuance if needed.

#### **Escrow Release:**

**Millstone at Parkside, Centennial Acquisitions, Foulkes Mill & Allentown Road, TMP 23-10-137, 23-10-144-003, and 23-10-145.** Mr. Strunk asked Mr. Andersen if there were any issues that needed to be addressed with the project. Mr. Andersen stated there were not.

Mr. Strunk made a **MOTION** to approve the Millstone at Parkside, Centennial Acquisitions, escrow release request for the project located at Foulkes Mill and Allentown Road, TMP 23-10-137, 23-10-144-003 and 23-10-145. Mr. Courduff seconded the motion. The motion passed unanimously.

**Prime Properties, Wright Road Subdivision, TMP 23-20-61. Final Escrow Release.**

Mr. Courduff made a **MOTION** to approve the Final Escrow Release for Prime Properties Wright Road Subdivision, TMP 23-20-61. The motion was seconded by Mr. Mininger and passed unanimously.

**Public Comments:**

Mr. Bob Smith of Hill Crest Road stated the traffic light at 663 and Commerce does not seem to be functioning properly. If you are on Commerce and want to go straight across the light seems to not be triggering properly and asked if the township is responsible for the light. Mr. Winkler stated yes, and he will take a look at the light as there may be an issue with the controller.

Mr. Bryan Malachowski of Breish Road stated when Faith Christian put up the new building there was to be a type of plan for stormwater runoff and with the new building, parking lot and turf field, he seems to be getting a lot of flooding on his property. Mr. Andersen stated there are to be stormwater controls in place. Mr. Malachowski stated he does not see any controls. Mr. Andersen stated he will do a site visit to confirm.

Mr. Ray Dougherty stated Mr. Kravitsky sent out a letter regarding the ongoing issues on Lucky Lane prior to knowing who the elected Board members are. Mr. Dougherty stated an update has been made to the corporation's website for PA. The website lists the members and the President of the HOA is listed as Nate Salemno. Mr. Dougherty asked the status of the sign complaint that was brought up last month. Mr. Kravitsky stated the letter was sent to all homeowners and includes his contact information. The letter is straight forward. Mr. Kravitsky stated a meeting should be set up to address the issues point by point and in terms of the signs he will be addressing that issue as well.

**Adjourn:**

With there being no further business Mr. Strunk made a motion to adjourn the regular scheduled meeting of the Board of Supervisors at 8:35 p.m. Mr. Courduff seconded the motion and the motion passed unanimously.

**Milford Township Board of Supervisors’  
Minutes of January 17, 2023 Meeting**

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**Attendance:**

Supervisors present: Charles Strunk, Chair; Thomas Courduff, Vice Chair; and John Mininger, Member. Staff present: Jeffrey Vey, Township Manager; Devan Ambron, Secretary; Peter Andersen, Andersen Engineering; and Catherine Harper, Township Solicitor.

**Call to Order:** Chairman Strunk called the Meeting of the Milford Township Board of Supervisors to order at 7:03 p.m.

Mr. Strunk made a motion to amend the agenda to include executive session following the regular scheduled meeting to discuss potential litigation. Mr. Courduff seconded the motion. The motion passed unanimously.

**Financial:**

**MS 965 Actual Use Report of State Funds.** Mr. Courduff made a **MOTION** of acceptance and submission of the MS965 Actual Use Report of State Funds. Mr. Mininger seconded the motion. The motion passed unanimously.

**Conditional Use:**

Milford Village, Section 1, Route 663, TMP 23-010-175-001. Mrs. Harper opened the hearing at 7:05 p.m. Mrs. Harper stated a request for an extension of time has been received from the applicant, MVP LLC, LifeQuest and all affected property owners, to continue the Conditional Use Hearing scheduled for January 17, 2023 to a date certain, being February 21, 2023. The applicant has also waived the requirement for a decision on the land development/subdivision application for Milford Village Section 1, Apartments and Retail, within 90-days under Section 508 of the Pennsylvania Municipalities Planning Code. At this time Mr. Strunk asked for Public Comments hearing none the hearing was closed at 7:06 p.m.

Mr. Courduff made a **MOTION** to approve the Waiver of Time Limitations request for the Milford Village Section 1 Conditional Use Application. The motion was seconded by Mr. Mininger and passed unanimously.

**Escrow Release:**

**LifeQuest, Mill Hill Road East Extension.** Mr. Andersen stated the escrow release request pertains to the lighting and landscaping. Mr. Strunk stated there seems to be shrubbery and trees missing. Mr. Andersen stated this release only covers the vegetation planted so far.

Mr. Strunk made a **MOTION** to approve Escrow Release No. 10 for the LifeQuest, Mill Hill Road East Extension project. Mr. Courduff seconded the motion. The motion passed unanimously.

**Public Comment:**

There was no public comment received.

**Adjournment:**

With there being no further business Mr. Strunk made a **MOTION** to adjourn the meeting of January 17, 2023 at 7:08 p.m. The motion was seconded by Mr. Courduff and passed unanimously.



## Minutes of February 7, 2023 Meeting

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### **Attendance:**

Supervisors present: Charles Strunk, Chair; Thomas Courduff, Vice Chair; and John Mininger, Member. Staff present: Devan Ambron, Secretary/Treasurer; Peter Andersen, Andersen Engineering; Nolan Finnerty, Timoney Knox; Chris Kletzing, Fire Marshal, and Gregg Kravitsky, Zoning Officer.

**Call to Order:** Chairman Strunk called the Meeting of the Milford Township Board of Supervisors to order at 7:00 p.m.

### **Approval of Minutes:**

Mr. Strunk made a **MOTION** to approve the January 3, 2023 and January 17, 2023 Meeting Minutes. The motion was seconded by Mr. Courduff and passed unanimously.

### **Financial Report:**

Having reviewed the current bills list, Mr. Strunk made a **MOTION** to approve the invoices for payment, along with the Treasurer's Report of December 31, 2022. Mr. Courduff seconded the motion. The motion passed unanimously.

The board was presented with the Recycling Grant Award Notification. Milford Township will be awarded \$18,980.

Mrs. Ambron presented the annual Contribution(s) to the Fire Companies totaling \$64,800 and the annual contribution to the Milford Township Volunteer Fire Company on behalf of the Upper Bucks Senior Citizens Activities Center for monthly rent totaling \$6,000.

Mr. Strunk made a **MOTION** to approve the annual contributions to the Milford Township, Trumbauersville, and Richland Township Volunteer Fire Companies and the contribution to the Milford Township Volunteer Fire Company on behalf of the Upper Bucks Senior Citizens Activities Center. Mr. Courduff seconded the motion. The motion passed unanimously.

Mrs. Ambron stated Monster Tree has requested the release of the \$1,500.00 security deposit for the property located at 1889 Trumbauersville Road. The property has been inspected and left in good condition.

Mr. Strunk made a **MOTION** to approve the release of the \$1,500.00 security deposit for the property located at 1889 Trumbauersville Road. The motion was seconded by Mr. Courduff and passed unanimously.

### **Announcements:**

Mr. Kravitsky announced the Milford Township Zoning Hearing Board will meet Tuesday, February 14, 2023 to hear the application of Kevin Willauer for a Special Exception, interpretation/appeal, and or Variance, to allow an agricultural retail store exceeding 750 square feet to sell local produce under section 404.A.7 subsection b, for the property located at 2000 John Fries Highway in the RA Zoning District; and the and the application of Particle Size Technologies for a Special Exception to allow an 1,852 square foot addition to be added to the northeast corner of an existing nonconforming use building under section 804.a, for the property located at 1930 Kumry Road, TMP 23-010-061. Mr. Courduff asked Mr. Kravitsky why the applicant has submitted another continuance request. Mr. Kravitsky stated the application is being amended to include further required variances.

### **Conditional Use:**

**Adina Roland, 2100 Quaker Pointe Drive, TMP 23-010-022, Proposed D2. Medical Office Use-Dental Office.**

Mr. Finnerty opened the hearing at 7:03 p.m. to hear the Application for a Medical/Dental Office submitted by Dr. Adina Roland for the property located at 2100 Quaker Pointe Drive, TMP 23-010-022. Mr. Finnerty marked the exhibits into record. Dr. Roland was sworn in at this time. Dr. Roland stated she is looking to lease 2,400 square feet in condo unit, which would make her the 4<sup>th</sup> dental facility in the building. Currently there are two general dental offices and an oral surgeon. There is also an Occupational Therapist located in the building. Mrs. Roland stated her practice would complete the specialty needs of the unit to support orthodontic care. Mr. Courduff stated he can recall 2

or 3 other applications with other business that practice there. Mr. Courduff stated there may be an issue with parking and signs. Dr. Roland stated it is a big facility and she will not be there 5 days a week. She will see patients in 6 weeks increments until enough patients are generated to be there full time. Dr. Roland stated she will start with 2 days per week which should not create any issues with parking in the beginning. Dr. Roland further stated there are a lot of spaces on site. Dr. Roland stated she is open to suggestions that she can pass along to the landlord. Mr. Courduff stated he would like to hear specifics, how many employees, and people cannot be parking on Quaker Way. Dr. Roland stated office staff is limited to herself and 1 or 2 other staff members. There are 7 practice rooms available, not all are being outfitting chairs. The intent is to only outfit the 3 chairs in the open bay and one private chair. There will only be 4 chairs initially. Mr. Courduff asked how long Dr. Roland anticipates business to ramp up. Dr. Roland stated as business ramps up staff will increase to 4 assistants, one front desk employee and herself and she would love to be busy enough in a year, but realistically it could take up to 4 years. Mr. Courduff asked about signage for the facility. Dr. Roland stated she does not have details at this time as she was waiting to go through this process first, but the intent is to add her practice the monument and the external door. Mr. Courduff asked Dr. Roland if she knows if the building is sprinklered. Dr. Roland stated it is not. Mr. Courduff asked if the alterations and additions have been addressed by the Fire Marshal. Dr. Roland stated her contractor will submit permits after this hearing. Mr. Kletzing stated he responded to a recent fire call at the building, and he spoke with the owner of the property in regard to setting up a time to walk through the building to discuss some issues that were noted. Mr. Kletzing stated he did access the space Dr. Roland is looking to occupy. Mr. Courduff stated the applicant's contractor should meet with our Fire Marshal and there may be concerns with egress. Mr. Finnerty stated the proposed plan is for 2,400 square feet, with a break room pace, break room consisting of 320 square feet and 1,970 square feet of clinical space. Mr. Finnerty stated per Section 404.D2.b., Parking: one off street parking space for every 150 square feet of gross floor area, plus one space for every doctor and full-time employee which would total 15 plus parking spaces to meet the requirement. Mr. Finnerty stated he is not sure how it factors in with the ultimate parking requirements. Mr. Courduff stated he thinks parking is an issue and would like to see specific numbers. Dr. Roland stated she has asked her broker about the required number of parking spots and he felt it was a little off. Mr. Finnerty asked if it is the 15 parking spaces that feel off. Dr. Roland stated yes. It is noted the Agent was not in attendance. Mr. Courduff stated it is simple engineering, how many spaces are there and how many are required we have asked other applicants to go through this process as well, we do not need parking issues. Dr. Roland stated she will email the broker and landlord tonight and asked how to proceed. Mr. Courduff stated a decision cannot be made tonight. Additional information is needed for the signage location and parking. Mr. Strunk stated he does not think parking is an issue there. Mr. Andersen recommended a parking study be performed, 2 days a week at 2 times throughout the day to see how many spaces are being utilized. Mr. Andersen stated there should be enough spaces on site. Mr. Courduff stated there always appears to be enough spaces. Dr. Roland stated every time she is out there, there has been plenty of parking. Mr. Finnerty asked for public comment. Mr. Richard Schilling of Scheetz Church Road stated the Board can do a Conditional Use Approval with conditions, meet with the Township Engineer to review building fit out, which would solve the fire problem. It seems this would be an undue delay to the applicant. The Board of Supervisors does have the discretion. If they come back and say they want a variance from parking, would have to go the Zoning Hearing Board for approval. It seems the zoning use is the major issue, the zoning issues would be worked out with the zoning ordinance, like how many parking spots, review of proposed signs. The fit out can be reviewed by the Fire Marshal/Code Enforcement department. The applicant will have to follow what is in the Zoning Ordinance since the use refers to other regulations. There was no further public comment. Mr. Mininger stated he has no problems with the proposal. Mr. Finnerty stated the hearing can be closed and the Board has 45-days to render a decision, or a decision could be made this evening. Mr. Finnerty closed the hearing at 7:21 p.m. Mr. Strunk stated the application could be turned over to Mr. Kravitsky to ensure there is enough parking on site and perform a review of the proposed signage. Mr. Courduff stated on the other hand, he feels as though the landlord should have been here to help with the application, which could have been easily resolved. Mr. Strunk stated Mr. Kravitsky will look into the property file to see parking that has been approved, and how many spaces are located on the site as well as ensuring the signage meets the Zoning Ordinance. Mr. Courduff added a conditional of approval is also subject to Fire Marshal review.

Mr. Strunk made a **MOTION** to approve the Conditional Use Application submitted by Dr. Adina Roland for a D2. Medical/Dental Office Use for the property located at 2100 Quaker Pointe Drive, TMP 23-010-022, with the following conditions: Fire Marshal review the premises for compliance, Zoning Officer perform a review of onsite parking spaces as well as compliance with the requirements of Section 404.D2; and the applicant obtain all necessary building and zoning permits prior to construction.

### **Other Business:**

Mrs. Ambron stated the township is in receipt of a Sewage Facility Planning Module Application for Quaker Pointe Hotel for the property located at 2097 Quaker Pointe Drive, TMP 23-010-021-001.

Mr. Strunk made a **MOTION** to approve Resolution No. **2023-07** the approval and submission of the Sewage Facility Planning Module for the Quaker Pointe Drive Hotel for the property located at 2097 Quaker Pointe Drive, TMP 23-010-021-001. Mr. Courduff seconded the motion. The motion passed unanimously.

Mrs. Ambron presented a draft lease agreement for G. Talley Carpet & Flooring, LLC., for township owned property located at 1889 and 1879 Trumbauersville Road, TMP 23-020-024-001 & 23-020-024. Mrs. Ambron stated the office building will be utilized by one full time employee and the storage building will be used for the storage of materials. Mr. Talley has proposed capital improvements to the building(s) which include insulation and heater installation. The base rent is \$27,642.48 annually or \$2,303.54 per month. On each anniversary date of the lease the base rent shall be adjusted by multiplying the base rent for the previous year by the CPI index with a 3% annual cap. Mr. Strunk stated he would like to see the annual cap increased to a number that is fairer for everyone.

Mr. Strunk made a **MOTION** to approve the Lease Agreement by and between Milford Township and G. Talley Carpet & Floor, LLC., for the property located at 1889 and 1879 Trumbauersville Road, TMP 23-020-024-001 and 23-20-024. Mr. Courduff seconded the motion. The motion passed unanimously.

### **Correspondence:**

Mr. Stunk stated a donation request has been received from the Quakertown Band. Mr. Mininger stated he does not support approving donations to organizations that are 501.c.3's using tax-payers money and he will make an independent donation. There was a lack of a motion for the donation request made by the Quakertown Band.

Mr. Strunk reported Plumstead Township has submitted a request for Fire Police assistance for the Plumsteadville Volunteer Fire Company Blaze of Glory 5K Run on Saturday, March 25, 2023.

Mr. Mininger made a **MOTION** to approve the Plumstead Township Fire Police Assistance Request for the Plumsteadville Volunteer Fire Company Blaze of Glory 5K Run taking place on Saturday, March 25, 2023. The motion was seconded by Mr. Courduff and passed unanimously.

Mr. Strunk stated the township is in receipt of the Trumbauersville Fire Company Officer List, 2022 Profit and Loss Statement, 2022 Relief Association Financial Statement, and the 2022 Year in Review Report. All of which is available for review.

Mr. Stunk announced the Milford Township Board of Elected Auditors met on January 4, 2023, as required. The Board of Elected Auditors, in a unanimous vote, set the hourly rate for any elected official employed by the Township at \$25.25 per hour which represents a 3.1% increase from the 2022 rate.

Mrs. Ambron presented the Quakertown Area Planning Committee Meeting Minutes of December 13, 2023. The minutes reflect the review of a Special Exception for 2000 John Fries Highway (Willauer). The Committee was in support of the request and had no comments on the request. The Committee reviewed and discussed the Preliminary Plan of Land Development for Heller Road Warehouse in Richland Township. The proposal consists of the construction of a 100,984 square foot warehouse building on a 5.8-acre site along the western side of Heller Road. The Committee discussed and commented that a traffic impact study should be submitted that examines the intersections of Heller and Pumping Station Roads and Heller and California Road. There was concern expressed about overflow of trucks onto Heller Road. The Committee recommended that a truck overflow management plan be developed to provide for truck staging areas and overnight parking facilities to accommodate trucks that require parking for extended periods.

Mr. Mininger presented the Bucks County Airport Authority Meeting Minutes of December 14, 2023. Mr. Mininger stated 262 Young Eagles participated in the Reading Christmas in the Air event. The terminal building renovation is still moving along. There was a contractual issue with insulation work that was performed, and it is being worked out.

### **Reports:**

**Code Enforcement Departmental Report.** Mr. Kravitsky presented the January 2023 Code Enforcement Report. A total of 14 permits were issued in January: 7 residential renovation permits, 2 residential accessory permits, 4 commercial permits, and 1 single family dwelling. A total of 8 Use & Occupancy permits were issued and 13 fire inspections were performed. One Zoning Hearing Board Application was received.

**Public Works Departmental Report.** Mr. Winkler presented the Public Works Departmental report for January 2023. Mr. Winkler stated the crew finished removing the large pole building on the Bast property and graded the pad and installed concrete perma- columns at the public works site where the building will be rebuilt for storage. Dave's Services helped us remove large ash trees along Parkside Trail and Walnut Lane. The crew did not have to salt or plow at all this month. Mr. Winkler stated one thing he is trying to work on is adding time to the traffic lights on the side streets on Route 663, LifeQuest/Commerce and Allentown Road. With the roundabout detour in place traffic is backing up at these intersections. The current timing is only allowing 3 to 4 vehicles through the intersection at a time. Higgins was out to look at the signal, unfortunately timing cannot be added without PennDOT's approval. Mr. Winkler stated a call has been made to PennDOT and no call back has been received yet. Higgins stated a permit is needed to add time. Mr. Courduff asked if the times of day are specific. Mr. Winkler stated yes, the signal is an adaptive signal, and the changes may be able to be made remotely. Mr. Mininger asked if the traffic is backing up mostly at Commerce Drive. Mr. Winkler stated yes and with the busses coming out of Allentown Road traffic is a problem there too. Mr. Courduff asked if the detour is in place until December. Mr. Winkler stated yes, and people will not follow the detour, they will go the easiest way. Mr. Courduff requested Mr. Winkler make another call to PennDOT regarding the timing of the traffic lights then follow up with written correspondence. Mr. Courduff stated Irick and Eberhardt have been picking up trash on Route 663 and recently have stopped. They spent about 75 man-hours a year picking up trash from LifeQuest Drive to the county line. Mr. Courduff stated there is a substantial amount of trash and car parts laying along the state highway and it is not our responsibility to clean it up. Mr. Mininger stated he wonders if Faith Christian would be interested in taking over for Irick and Eberhardt. Mr. Strunk suggested something be put up on our website asking for volunteers. It was noted if there is a problem with car haulers, they should be handling the removal of the car parts as this is a reflection on our Township. Mr. Strunk stated to add to Dave's report, the building being moved is to store snowplows and winter equipment. The Public Works Department has never had a good place to store the equipment, and this will keep everything in one place.

**Agricultural Security Area Meeting Minutes.** Mr. Courduff reported the Agricultural Security Area Advisory Committee held their quarterly meeting on January 18, 2023. The main issue discussed was a review of the latest AG Daze event held in September of 2022, which was very successful. Some of the issues discussed were how to make the event even better, improvements that could be made and encouraging additional participants to attend. Mr. Courduff stated someone stole the powerline to the food trailer the fire dept owns right before the event last year. There were 300 hamburgers in the freezer that could have gone bad and ruined a major income for the fire dept. Mr. Courduff stated he spoke with Chris Kletzing who reported the surveillance camera doesn't cover that area of the park. Mr. Courduff recognized Mr. Larry Roeder, editor of the Town and Country Newspaper and a long-time fire fighter in Milford Township and Trumbauersville Borough, for making a donation to cover the cost and then some, of the powerline. Mr. Courduff stated we have security in the park and we still had someone cut a 200-amp service line to the fire department's food trailer.

**Trumbauersville Fire Company Report.** Mr. Strunk reported the January 2023 Trumbauersville Borough Fire Company Report has been received and is available for review.

**Milford Fire Company Report.** Mr. Joe Sink presented the January 2023 Milford Township Fire Company Report. Mr. Sink stated the Fire Department responded to 27 calls in January. Several members are being recertified in first aid and the department held a stop the bleed class. The Deputy vehicle has been delivered and is in a holding pattern as they are waiting for the rest of the equipment to come in. Mr. Strunk asked Mr. Winkler the status of the order for the two public works trucks. Mr. Winkler stated he is still waiting for confirmation and the township is number two on the board. Mr. Winkler stated they wait until they get a larger order for the same color vehicle. Mr. Sink reported the State Grant Application was approved in the amount of \$15,000. The Fire Department will use the funds for 2 thermal imaging cameras. The Fire Department did submit for new gear through the FEMA grant. Mr. Sink stated any residents who are in need smoke detectors can call the station and they will be provided. This information is noted on

the Fire Department website and can be put on the Township website as well. The Fire Department has two new members who are ready to go. One of the new members has prior experience. Mr. Sink recognized Response Electric and Mr. Brian Malachowski for stepping up to go the food trailer back up and running. Mr. Courduff asked how we are doing with the West Wing expansion of St. Luke's Hospital. Mr. Sink stated the Fire Department will be doing a full walk through once the construction is complete. A preliminary walk through has been done and all issues from the Fire Departments side have been taken care of.

**Escrow Release:**

Biddle Tract/Gold Street Properties LLC, Krammes Road, TMP 23-010-012, Inactive Escrow Account. Mrs. Ambron stated the escrow account has been inactive since 2009.

Mr. Strunk made a **MOTION** to approve the Biddle Tract/Gold Street Properties, LLC, escrow for the property located on Krammes Road, TMP 23-010-012. Mr. Courduff seconded the motion. The motion passed unanimously.

**Public Comment on Non-Agenda Items**

Mr. Bob Flack of Mill Hill Road reported at the North End of Mill Hill and Old Bethlehem there is an area where motorist need to avoid large rocks and there are a number of homes on Mill Hill that require the homeowner to back in or out of their private driveways. With traffic being so heavy sometimes you have to wait for five cars to go by. Mr. Flack stated the pavement has started breaking off in front of the Baringer property. He also stated speed is problem on Mill Hill Road in both directions and there will be accidents and he has seen one police car in the last month. Mr. Flack asked if there is something that can be done to make the police more visible. Mr. Courduff noted Mr. Flack has offered his driveway for police use. Mr. Flack stated the road wasn't made for this much traffic. Mr. Courduff stated the hearing for the Conditional Use Application for LifeQuest where 264 apartments are proposed, is scheduled to be heard at the February 21, 2023 Board of Supervisors meeting and suggested Mr. Flack come to the hearing to address these issues.

Mr. Richard Schilling of Scheetz Church Road stated he just emailed Mrs. Ambron the contact information for Staat's office regarding the PennDOT traffic lights. Mr. Schilling stated PennDOT can be difficult to get in touch with and the State Representatives have more pull.

Mr. Bob Smith of Hillcrest Road requested an update relating to the revision of the Sewer District. Mr. Courduff stated he has not seen the update. Mr. Smith stated the update is in the township's hands. Mr. Courduff asked Mr. Andersen if has seen the update. Mr. Andersen stated it is being worked on. Mr. Smith questioned the stop sign at LifeQuest Drive, Mill Hill Road and the future Mill Hill Road East. Mr. Smith said the stop sign says left turn only. Mr. Smith said that is the only way you can go. The other direction from Mill Hill says stop right turn only and the only way you can go is right and if the road was open it would say you don't need to stop if you were going either way. Mr. Andersen stated when Mill Hill Road east is open and there is another way of turning the signs will come down. Mr. Andersen further stated if a motorist is not familiar with the intersection it advises drivers you can only turn left or right depending on which way you are coming from.

Mr. Chris Collins of Mill Hill Road stated he seconds a lot of the things Mr. Flack has said and the trash on the road is unbelievable and truck traffic is ripping up the road. Mr. Andersen asked Mr. Collins if this has gotten worse. Mr. Collins stated it has, the truck traffic is coming onto Mill Hill Road from Old Bethlehem Pike. Mr. Collins further stated if it is just temporary he may be able to tolerate it. Mr. Courduff asked Mr. Winkler if speed signs could be placed on Mill Hill Road. Mr. Kravitsky asked Mr. Collins what kind of trucks he is seeing. Mr. Collins stated dump trucks and 18-wheelers. Mr. Kravitsky stated he has gotten calls about the increase in dump trucks and at a pre-con meeting 2 of the foremen were told to keep trucks off Mill Hill Road.

Mr. Robert Wolfe of Canary Road state he has lived at the corner property of Canary and Fennel Road for 30 years and 30 years ago you were lucky to have 30 cars on the road, now you have trash trucks and delivery trucks 9 feet from his house. The trucks cannot fit on the road at this intersection. If a truck is making a right turn from Canary to Fennel you have to wait for the vehicles on Fennel to move. Mr. Wolfe stated there is too much traffic on the road and Fennel should be closed off and there shouldn't be that much traffic around his house. With the Turnpike construction

being the way it is there is more traffic. Instead of going to Kumry Road people are turning onto Fennel. Mr. Wolfe stated there is constant traffic and whatever can be done to eliminate the problem would be appreciated. Mr. Wolfe further stated he would like to see no trucks on the road at all. Mr. Strunk stated the increase in truck traffic is the same everywhere. Mr. Wolfe stated there trucks up and down the roadway and he needs Fennel Road addressed as is cannot go on the way it is currently going. Mr. Wolfe said one of the township workers was just in an accident there a month ago. Mr. Winkler stated the roadway was just widened. Mr. Wolfe said the road keeps getting wider and wider and no one would want to buy his property now. There used to be a stone hedge all around now it is street. Mr. Winkler stated signs were placed each way on Canary, which has a posted speed limit as 45 mph and the average speed was 29 mph. Mr. Wolfe stated he is more concerned with Fennel Road and Canary Road is not the problem. Mr. Winkler suggested making Fennel Road a one-way road so traffic is not pulling out on Canary Road. Mr. Wolfe stated restricting trucks would make him happy as there is a jam up on the roadway every 2 or 3 minutes. Mr. Courduff asked Mr. Winkler if he thinks the road can be a one-way road and truck restricted. Mr. Winkler stated yes, it is a simple solution and it is a problem. Making the road one way would do away with dangerous part of pulling across canary. Mr. Courduff stated the township will research what is required to make Fennel Road one-way with truck restriction.

**Adjournment:**

With there being no further business Mr. Strunk made a **MOTION** to adjourn the meeting of February 7, 2023 at 8:27 p.m. The motion was seconded by Mr. Courduff and passed unanimously.

**Milford Township Board of Supervisors’  
Minutes of February 21, 2023 Meeting**

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**Attendance:**

Supervisors present: Charles Strunk, Chair; Thomas Courduff, Vice Chair; and John Mininger, Member. Staff present: Jeff Vey, Manager; Devan Ambron, Secretary/Treasurer; Peter Andersen, Andersen Engineering; Kate Harper, Timoney Knox; Chris Kletzing, Fire Marshal, and Gregg Kravitsky, Zoning Officer.

**Call to Order:** Chairman Strunk called the Meeting of the Milford Township Board of Supervisors to order at 7:00 p.m.

**Subdivision/Land Development:**

**Quaker Pointe Hotels, 1915 John Fries Highway, TMP#23-010-021-001, Final Land Development Approval, Parking Easement Agreement, Stormwater Discharge Easement Agreement.** The Board of Supervisors reviewed the Final Land Development Approval for the Quaker Pointe Hotels LLC proposal for the property located at 1915 John Fries Highway, TMP 23-010-021-001, along with the Parking Easement Agreement and Stormwater Discharge Easement Agreement. The board had no concerns with the agreements as presented. Mr. John Melham, of Melham Associates, stated he also sees no issues with the agreements.

Mr. Strunk made a **MOTION** to approve **Resolution No. 2023-08**, a Resolution granting Final Land Development approval with conditions to Quaker Pointe Hotels LLC for the premises known as 1915 John Fries Highway, TMP 23-010-021-001 along with the Parking Easement Agreement and Stormwater Discharge Easement Agreement. The motion was seconded by Courduff and passed unanimously.

**Conditional Use:**

**Milford Village, Section 1, Route 663, TMP 23-010-175-001.** Mrs. Harper opened the Conditional Use Hearing for Milford Village, Section 1, at 7:08 p.m. and marked all exhibits into the record. It was noted that Mr. Del Markward has pulled the land development submission from the February 21, 2023 agenda for the apartment component and the intent is to resubmit the retail section as part of a future Master Plan. Mr. John Snyder, attorney for the applicant, called Mr. Marty Smith, of Pany & Lentz Engineering to the stand. Mr. Smith has been involved with the Milford Village plans for approximately 15 years. Mr. Snyder asked Mr. Smith as to the process as to revisions and conditional uses for this project. Mr. Smith stated it was an original condition of approval for the overall development that all submissions for a land development require a conditional use. The applicant is now on Master Plan Seven for Section 1W which consists of apartments and multiple buildings. Mr. Smith stated this Section has been carried over from Master Plan Six. Mr. Snyder asked if there have been any other changes shown on Master Plan Seven. Mr. Smith said there are, the layout and uses on Section 7, 8, and 9 have been updated. Section 7 previously proposed an apartment use and is now showing a medical office facility. Section 8 proposed an event-center type use and is now part of a medical office facility and Section 9 previously proposed multiple small retail buildings and now proposes two smaller medical office buildings. Mr. Smith stated the layout was established by the engineer for a potential user which may be St. Luke's. The plan shows the layout being proposed would work as far as the requirements set forth by the Master Plan regarding impervious surface and nonresidential building areas. Mr. Snyder asked Mr. Smith what the revisions are to the layout of the driveway connection for 1W. Mr. Smith said originally the connection of the driveway to the apartments was laid out like a boulevard entrance and it hit Abby Lane at a skewed angle. The Township Engineer requested it be perpendicular with Abby Lane. An adjustment was made, and it was also looked at as to not have Abby go all the way through to 663. This is what is reflected on the Master Plan. With the retail section being removed it necessitated a difference in the connection to Abby Lane, a turnaround is now proposed. Abby Lane is intended to be constructed from Mill Hill Road to the driveway for the apartments. The turnaround is a sort of round-about with a travel lane around a central island and then there will be a future connection, also known as Driveway A to 663 as well as a future connection to the retail area. Mr. Snyder asked what the reason for a roundabout was versus a cul-de-sac that was shown on the exhibit. Mr. Smith said one reason is it's used for maneuvering emergency vehicles and for future traffic calming purposes. There were concerns raised with the speed of traffic through that area. Mr. Snyder asked Mr. Smith if there were comments made respecting the left-turn lane into LifeQuest Drive from Route 663. Mr. Smith said there were following the review of the traffic study an in discussions with the Township. There were concerns about the stacking length at the existing left turn lane heading east on 663 as you are making a left into LifeQuest Drive. The traffic studies current calculations show a stacking lane of 275 feet is needed, currently there is 100 feet of stacking. The Master Plan reflects the needed 275-foot stacking lane. Mr. Strunk asked if the Abby Lane intersection has disappeared on this plan. Mr. Snyder stated it has not, Abby Lane is proposed to be built from Mill Hill to the entrance to the apartments in essence, half of Abby Lane is being built and there needs

to be a turnaround for emergency vehicles so that is why the traffic circle is proposed. Mr. Snyder asked Mr. Smith what his understanding of the triggers for improvements to the road system are. Mr. Smith stated based on the most recent traffic impact study, that in addition to traffic improvements, based solely on the additional traffic from the apartments, is the extension of the left turn stacking lane to meet the 275-foot stacking distance. As well as a portion of Abby Lane from Mill Hill Road for access, along with some improvements of old Mill Hill Road or Mill Hill Court. Mr. Snyder asked if these triggers are listed on the Master Plan. Mr. Smith stated he believes so and if not, we can work on that this evening, to come to an agreement on triggers. Mrs. Harper stated she has a few questions to ask Mr. Smith to be sure the record is clear. Is the only improvement to Route 663, with the construction of the apartments, the lengthening of the left turn lane to LifeQuest Drive. Mr. Smith stated that is correct. Mrs. Harper stated there are triggers noted on the Master Plan that appear to be for the rest of the widening of 663 and asked Mr. Smith to explain those triggers. Mr. Smith stated that's partially what we are here to discuss. The apartments only require that left turn lane extension. If development occurs in the remainder of Section 1, 2, 4 or 5 that will trigger the rest of the improvements on the west side of LifeQuest Drive along 663 and if development occurs in 7, 8 or 9, that will incur that improvements between LifeQuest Drive and the east side. Mr. Snyder stated Master Plans have always contained triggers. However, as follows from the very first approvals, since we are required to have land development plans and revised conditional uses of the Master Plan for each part of the development, those triggers have constantly been revised to reflect what the testimony is with respect to what is happening in that particular conditional use. The triggers listed on the Master Plan have never been cast in stone, it is a listing of what has to get done. Mrs. Harper stated that is understood and the difficulty here is that the Master Plan is a plan for 200 plus acres, not just the apartments and because of that, the conditional use requirements are that the board approve the triggers for getting Route 663 widened to four lanes, and the middle, from one side to the other of the entire site. Mr. Snyder stated triggers are based upon what potentially would happen in the future, but you change the triggers when you know what is happening. No improvements have been removed or changed. Mr. Snyder further stated when you come in with a new use, and a conditional use revision for that use, before being able to get your land development plan for it, the traffic is rereviewed to see whether that trigger is appropriate or whether it should be something else. Mrs. Harper stated that's why the board will be reviewing these triggers as part of this process and the triggers are the whole site, not whatever your particular use is today. Mrs. Harper asked how many apartments are being requested. Mr. Smith replied 262. Mrs. Harper said the application states they are low-impact and asked if they are age restricted. Mr. Smith stated that is the township's definition of this particular dwelling unit and they are not age restricted. Mrs. Harper asked how tall the buildings are. Mrs. Smith stated there are two buildings that are two stories, and the rest are 60 feet. Mrs. Harper asked how many stories that is. Mr. Smith replied four stories. Mrs. Harper asked if the apartments would have direct access to Route 663. Mr. Smith stated under the current plan, no. Mrs. Harper said so is it expected that people would come in LifeQuest Drive and make a left-hand turn to get to Abby Lane. Mr. Smith said under the current plan, yes. Mrs. Harper said Abby Lane has changed from a cul-de-sac to what looks like a circle. Mr. Smith stated Abby Lane has always been a through street since the start of the Master Plan. At this time, we are proposing to only build half of Abby Lane for the apartments. Abby Lane will be terminated temporarily with a roundabout when 1E develops with retail, Abby Lane will then connect to 663. At that time all the 663 improvements in front of Section 1 will also be installed. Mrs. Harper had no further questions.

Mr. Courduff asked Mr. Snyder what guarantees there are that these improvements would occur and/or would occur should there be no further development. Mr. Snyder said there are other sections out there that are owned by his client that could be sold. Mr. Courduff asked how this township could be guaranteed that those improvements will occur. Mr. Snyder said because of the system in place. For any applicant for any section of this property to build they need to file a conditional use and land development application. The land development will require an escrow of improvement money, including improvements to 663 or any other roadway that would have to be constructed as a part of that. Mr. Courduff said 663 is falling apart and what is being suggested is that the improvements would occur on a segmented basis and whatever section comes in next completes another section. Mr. Snyder said the triggers state anything that is constructed in Section 2, 4 or 5 is going to require that approval to trigger the improvement of 663 west of LifeQuest Drive. Mrs. Harper asked for clarification. Mr. Smith stated if something else is proposed on the retail section of 1, if 2, 4 or 5 happens, there is enough trips generated to warrant the improvements west of LifeQuest Drive along the frontage. Mrs. Harper stated she understands what is being said by trip generations, but that is not how the ordinance reads. There is the need for Master Planning to make sure that at the end of the day this 200-plus acre site develops and 663 is big enough to handle it. It is has been partially developed by St. Luke's and the board has also granted approval, more than a year ago, to Section 6, which has not been developed and if the board had been



expecting Route 663 to be widened with 6 it still wouldn't be done. Mr. Smith said the board got Mill Hill Road extension. Mrs. Harper said the worry that is being heard is that if you look at this site as individual uses and say this trip generation is only so many cars, that doesn't warrant the widening of Route 663. The ordinance says, this is a 200 plus acre site and we want to see triggers for Route 663 that we can count on. Mr. Smith said that has been provided, it started with a decision in 2010. If you go back to that decision there are multiple phases in that decision that say phase 1A, build this, phase 1B, build that. We're building on that. That breakdown of build certain parts for certain pieces of development was part of the original decision and they are maintaining that basis of the improvement installation that was established in 2010. Mr. Snyder stated the area from LifeQuest Drive to the west end of the property isn't segmentate and any of those four sections, when developed, trigger the whole thing. Mrs. Harper said she thinks the worry is that you reserve the right to revise the triggers and 262 apartments are being build and there really are no plans to do improvements. Mr. Snyder said that during the conditional use the triggers get discussed with respect to what is needed at that time. Those changes come from the board, the applicant does not get to change those triggers. The board must approve the changes. Mr. Snyder reiterated that when the first one of 1E, 2, 4 or 5 gets built, that whole road gets built. That's the way the trigger was, that is not being changed. Mr. Strunk asked if the township should just sit here and let them build this big, massive project and then the next guy that comes in that wants to build a little dinky building and now required to build 663.

At this time Mr. Snyder called traffic witness, Peter Terry of Benchmark Civil Engineering Services, to be sworn in. Mr. Terry completed the traffic impact study on behalf of the applicant which was last revised January 2023. Mr. Terry stated Benchmark has been involved with the project since 2011 and this study is an update based on what has been constructed out of the development up to this time. It includes a phase one which analyzes just the apartment project and a full development of the site phase. Mr. Terry stated he has been working back and forth with Marie Pantalone, township traffic engineer, to work out details of the traffic study and possible triggers for improvements. Mr. Terry stated he has also worked with AnneMarie Vigilanti of Langan on elements of this study. Two reviews have been completed the last dated February 2023. Mr. Terry stated the review essentially indicates that we have, for the most part, addressed the 18 comments from the December 2022 letter. Information has been received from PennDOT and will be worked through that detail on that comment. Mr. Terry said there is an additional comment concerning the eastbound left hand turn lane on Route 663 as you approach LifeQuest. He believes they have come to an agreement on the length that the lane needs to be which is triggered by the trips that come from the apartment. Mr. Snyder asked Mr. Terry with respect to future development of Section 1E, 2, 4 or 5, if he has concluded what would need to be done with respect to 663. Mr. Terry stated this study does not break down future specific sections, instead it looks at the full development of the entirety. Mr. Terry further stated an agreement has been made that with each land development, each change to the Master Plan or conditional use there will be a revision to the traffic impact study. The reason for this is because the original study was done in 2011 and new traffic counts are needed because traffic has changed on Route 663. It has changed all over the area. Mr. Terry said he can work with numbers from the Institute of Transportation Engineers and make estimates for every one of these developments but won't know exactly what the size is going to be or the timing of those developments. Triggers cannot be put together for every possible scenario of development. There will be a reevaluation every time there is another development which looks at the ultimate development of the site. Mr. Snyder asked Mr. Terry if it is his understanding that what the applicant is proposing so far is that whenever development occurs on 1E, 2, 4 or 5 the entirety of 663 west of LifeQuest Drive will be completed. Mr. Terry stated that is correct. Mr. Snyder asked what the purpose of looking at the traffic studies each time would be. Mr. Terry said it gives an update to see what those improvements really are to prove what is being proposed is adequate to serve the traffic. Mr. Snyder had no more questions at this time. Mrs. Harper asked Mr. Terry when the site was studied, was it studied to see whether in fact, Route 663 should be widened already. Mr. Terry said yes. Mrs. Harper asked Mr. Terry what his professional opinion was on knowing he didn't have counts for 663. Mr. Terry said every time there is a new development a recount is needed so that the right base is used and the base used was from 2022. An analysis of the existing conditions found that Route 663 does work today with the existing configuration. Mrs. Harper asked if it works without any widening and with all the traffic that's been added to Route 663 since 2011? Mr. Terry said yes, in his professional opinion, without widening or any further improvements. Mrs. Harper asked Mr. Terry if the whole 200-plus acre site, which is what the ordinance says you have to look at not just what is being proposed right now, was looked at. Mr. Terry replied it was looked at as a future full build condition study. Mrs. Harper asked how the board can be assured that the widening will ever get done. It looks like the next development is always supposed to do the widening. Mr. Terry said the answer is there is a need to know what that

next development is so it can be determined what improvements are necessary. Right now, we have a commitment that when development happens on 1, 2, 4 or 5 widening of 663 from LifeQuest to the west will happen.

Mr. Courduff stated there are a number of friends and residents in attendance that reside on Mill Hill Road that have lived there for years. Recently we have gotten a lot of complaints about high speed and additional traffic, and he is wondering if it was found through the studies, how much of the change in traffic patterns could be from the detour that is in place. And it needs to be determined how we are going to handle Mill Hill Road as part of this whole traffic pattern. Mr. Terry said without question, the PennDOT detour that is in place has changed the traffic patterns and hopefully when the roundabout is complete you will see it shift back to traffic patterns away from Mill Hill Road. The study recognizes that there are some people that take Route 663 to LifeQuest Drive to Mill Hill Road as a short cut which is something that is in discussions with the township's traffic engineer. Mr. Courduff stated the choke points out there at Mill Hill and Old Bethlehem, and the other two intersections all combine to make a real issue out there and asked if it would get worse with the apartments. Mr. Terry said there will be some traffic that goes out there and it's not going to get better when you add more traffic. Mr. Courduff asked Mr. Terry what he suggests in way of traffic calming. Mr. Terry said pavement striping alternatives and possibly speed humps could be considered. Mr. Courduff said with GPS and the cost of fuel Mill Hill Road proves to be the shortest route. Mr. Mininger asked Mr. Terry how much traffic the apartments generate, 262 apartments sound like a lot of trips and asked how it compares to retail. Mrs. Marie Pantalone, Safe Highway Engineering, stated the apartments in the a.m. peak hours are projected to generate 25 entering trips and 80 exiting trips. In the p.m. peak hour, 84 entering and 50 exiting trips. And in the Saturday peak hour, 54 trips both entering and exiting. As a comparison, the retail proposed for 1 east would generate 94 trips entering and 58 exiting in the a.m., 216 entering and 234 exiting in the p.m., 231 entering and 222 exiting in the Saturday peak hour. So roughly in the pm peak hour it's about three to four times the traffic. Mr. Strunk said the board went through a lot of trouble to get rid of the intersection of Mill Hill Road and 663. Now what is going to happen is Mill Hill Road is going to move up the road a couple hundred feet and all that traffic will make a left off of 663 onto Abby Lane and up Mill Hill Road making the intersection of Old Bethlehem like a five-point intersection. That traffic will then go up a one-way street to get to the shopping center and 309 north and asked what is going to happen when we short circuit that with Abby Lane being built. Mr. Strunk further stated this is a unique opportunity we have to look at it with Portzer Road closed. Mr. Terry said certainly once Abby Lane is connected to 663 it would shorten that path. Mr. Strunk noted the renters or owners of the apartments would have traffic from 663 driving through their parking lot.

Mr. Vey said Mr. Terry stated that he didn't break the study down into pieces and that the overall impact was looked at and asked if the overall impact shows that 663 needs to be widened two lanes each direction with turning lanes. Mr. Vey asked how close the apartments are standing alone to a threshold that would trigger the need to widen 663. Mr. Terry said he is not sure how to handle the threshold trigger and the apartments require the lengthening of the left hand turn lane. Mr. Vey asked if it makes sense for 663 to be broken down into sections for widening, specifically St. Luke's to LifeQuest Drive as one section and LifeQuest to Mill Hill Road? Mr. Terry said the widening out the two lanes and then immediately narrowing back down to one lane in each direction doesn't buy you the capacity. Mr. Vey said if the apartments go in and don't have to do any improvements to 663 and then something comes in on Section 7, would that trigger the entirety from St. Luke's where it is narrowed down to Mill Hill Road. Mr. Terry said it may, it would depend on what that is that comes in on 7 and that's why with each submission you do another traffic analysis. Mr. Vey said it is unknown what improvements are coming in and how it's going to be financed. Mr. Terry said he is not part of the financing. Mr. Vey asked where the need for exiting double left lanes at LifeQuest heading towards Quakertown stands. Mr. Terry said a single left hand turn lane southbound on LifeQuest Drive would be adequate. Mr. Vey asked if it is adequate for a full build out or just for the apartments. Mr. Terry said for a full build out. Mr. Terry said one of the comments that needs to be addressed has to do with the traffic signal system. Plans have recently been received for that and it needs to be evaluated. Mr. Vey asked Mr. Terry about the roundabout at Mill Hill and LifeQuest. Mr. Terry said a roundabout is the best alternative looking at the projected traffic volumes. Mr. Vey stated there has been discussion of traffic calming and there has been a submission that shows the temporary cul-de-sac turning into a roundabout. Would the concern be making that connection gives a straight through and will enable traffic to go from 663 pass-through traffic not local access on Mill Hill Road. Mr. Vey stated speed humps were mentioned and asked Mr. Terry what he knows about speed humps versus emergency response vehicles, such as a tanker truck, would that be something to be concerned about. Mr. Terry said absolutely and there are a number of fire companies with concern that you can damage your vehicle and there are a number of different profiles. It could be higher elevation and go back down. Mr. Terry said the roundabout is intended to reduce speeds because you can't

drive as fast when you have a sharp radius of the curve. Mr. Vey asked if speed humps are typically used on higher level roads, meaning the street hierarchy, arterial being coordinated first through function and residential being local access. Mr. Terry said they're better suited for local access and residential. Mr. Vey asked if Abby Lane is a local access road, or if it is higher in the hierarchy of roads. Mr. Terry said he thinks it is a local access road. Mr. Vey asked if it is local access, can the function of that local access be done through design that has the road accessing a parking lot rather than being a through road to Mill Hill Road. Mr. Terry said as a traffic engineer, he would discourage having parking maneuvers due to safety reasons. Mr. Vey said it now serves as a through function. Mr. Terry said it is a balance and you don't want a lot of parking maneuvers at low speed backing up on a road that is going to carry through traffic. Mr. Vey stated a roundabout is a traffic control device and used for traffic calming and asked if another roundabout at Abby and Mill Hill would reduce the tendency to use as a through function. Mr. Terry stated he thinks that's a good alternative. Mr. Vey asked what the impact will be at Mill Hill and Old Bethlehem. Mr. Terry said there will be an increase in traffic that will cause an increase in delay for left hand turn improvements at that intersection. Mr. Vey asked if there is a need for improvements there and what they would look like. Mr. Terry said he hates to sound redundant, but we could be looking at a roundabout. Mrs. Harper said she has one more question to ask Mr. Terry, if he knows if Route 663 were improved now or in the near future, and it flowed, would that encourage people to stay on 663 as opposed to taking a short cut through the development. Mr. Terry said that is a difficult question to answer and he could do the calculations to try and figure that out and the problem is driver behavior, sitting at a traffic signal versus a road that leads right to a stop sign. If the stop sign becomes too much of a problem people are not going to risk their lives to turn left and go north, they may contemplate staying on 663.

Mrs. Harper asked Ms. Pantalone her opinion about the triggers for the Route 663 improvements. Ms. Pantalone said she is concerned that none of the sections for development, when looked at individually, will show the need for a five-lane cross section that it is only when the sections are taken together that you see the need for the five-lane cross section throughout the site frontage. Ms. Pantalone said the impact is diminished when you are only looking at apartments here and then maybe some retail and a medical office. It's only when you look at the impact of the entire Master Plan that you see the full gamut of improvements needed. Mrs. Harper asked Ms. Pantalone her opinion of the triggers on the Master Plan. Ms. Pantalone said it is her understanding that the apartments are not included. She saw triggers for 1, 2, 4 and 5 and the apartments were excluded from the triggers. She further stated she is doubtful that when retail comes in, which is a high traffic generator, that it will point to the need of a five-lane cross section. Mrs. Harper asked Ms. Pantalone her professional opinion that with or without a traffic study for retail, would the trigger say that's when widening occurs. Ms. Pantalone said a traffic study is unlikely to tell you that, and it is her understating that when Section 7, 8 or 9 are developed, it is more likely to show the need for a five-lane cross section and 7, 8 and 9 is only required to widen 663 between 663 and LifeQuest and to the east, when does the widening happen from LifeQuest to the west. Mr. Snyder said development on 1E, 2, 4 or 5 would trigger the completion of 663 from LifeQuest to the west. Mr. Vey stated that would leave St. Luke's to LifeQuest unwidened. Mr. Snyder said some of that has been done with the expansion. Mr. Vey asked Ms. Pantalone if it makes sense to break the widening into two sections. Ms. Pantalone said it's difficult to use a traffic impact study procedure to identify the need for traffic improvements catered to each section. The traffic impact is only for the new traffic, but the improvements that the township wants to see need to accommodate traffic. Mrs. Harper noted the ordinance does not require that individual traffic studies provide the triggers. The ordinance itself says the Unified Master Plan shall provide a mechanism by which arterial highways shall be improved the two lanes in each direction with the addition of left-turn lanes and deceleration lanes where appropriate subject to PennDOT approval and the site should be look at as a whole not the individual one. Mr. Snyder said there has been a request to do traffic impact studies as each section is developed. It has been broken down into two areas, east of LifeQuest and west of LifeQuest with the exception of the apartments because that section did Mill Hill Road. Mr. Snyder said it is not being broken down to 7 does this, 8 does that and 9 does that. It has been made into two areas. Mrs. Harper asked Ms. Pantalone if that is clear from the note on the plan. Ms. Pantalone stated it is not. Mr. Snyder said hopefully it is clear from testimony because that is what binds them because the plan can be revised to clarify. Mrs. Harper said the note is not as clear as explained. Ms. Pantalone asked if LifeQuest Drive would be used as some kind of border. Mrs. Harper said yes. Ms. Pantalone said she does not think that is fair, eventually you are going to come to a section that is going to require the capacity for a five-lane cross section throughout the site frontage and everything on the west side could be built already so there won't be another opportunity. Mr. Snyder said if everything on the west side of LifeQuest Drive is built 663 would already be built. Ms. Pantalone said it is about capacity on the entire corridor. Mr. Smith stated they have offered to do a traffic study for each land use land development so the township has the additional information. And they would establish set

triggers now that if anything happens in the Section 1 Retail, 2, 4 or 5 we would build all the improvements from LifeQuest Drive to the western end of the project regardless of whatever the new traffic study says, and whenever something is built on 7, 8 or 9 the improvements from LifeQuest Drive east to the end of the existing improvements installed by St. Luke's would be built, regardless of whatever the traffic impact study says, if the township still wanted traffic impact studies for each land development. Mr. Vey said just for clarity if St. Luke's builds in 7, 8 or 9 that will not trigger having to widen from LifeQuest to Mill Hill. Mr. Smith said the use would dictate the complete build out at that time. Mr. Vey replied that's where the concern is, how do we get 663 built, who does the financing and sequencing. We are potentially set up for a situation where something happens on 7, 8 and 9 which was conceived of as widening in front of 9 that will also trigger the need to widen from LifeQuest to the west. Mr. Smith said this is certainly a possibility. Mr. Vey stated just so all parties are aware because we are not looking at each of the parties. We are looking at the overall site and there are different interests. Potentially we are setting up a situation where whatever gets implemented by a proposal on a different Section, 7, 8 and 9 that then requires capital improvements and that gets back to the portion of our ordinance 622. Mr. Vey stated 665.B3. says the Master Plan shall describe to the satisfaction of the Board of Supervisors how all traffic improvements shall be accomplished, the timing, sequencing of such traffic improvements and the means of financing and securing the construction of those improvements. Mr. Vey further stated what he is hearing is piece it out and then you set up a situation where a developer thinks they might just have to do this one chunk and now has to do the other. Does it make sense to break it into phases and I heard from Mr. Terry unfortunately, that you are going to be narrowing it down and you don't have the capacity. Mr. Snyder said half will be done one time and half the other. There is clearly a possibility, and until you know what the medical use is, if it will be a medical use, St. Luke's hasn't bought that piece yet, what the traffic ramifications of that particular use are. Mr. Snyder stated he thinks the proposal is reasonable, it is not being broken down into little pieces it is broken down into two large pieces. When the first big piece comes in, if the traffic studies and the traffic engineer say more is needed, then it will be dealt with at the conditional use and the applicant has to deal with it as a development improvement that will have to be financially secured. If the applicant can't afford it they probably won't do it. The township could impose a condition on the developer of 7, 8 and 9 if that is the one that's likely to have the bigger effect, to say you are going to have to do the west as well. Mr. Vey asked if the Township is picking winners and losers as to who has to pay for capital improvements, and shouldn't it be the overall entity that secures the improvements. Mr. Snyder said no because individuals are the ones that doing the conditional use and that will be an issue between the applicant and their buyer. Mr. Vey asked what is wrong with the overall site posting financial security for the widening of 663 and then you do your own private deals and leave the township out if it because the townships interest is the public interest. Mr. Snyder replied the property is too big, it's not the way the system works. Security must be posted before the plan can be recorded and built. Mr. Snyder further stated if someone comes in and buys 7, 8 or 9, they are going to have to deal with how that person deals with improvements by an agreement between the two parties, not the township. Mrs. Harper pointed out that owners of the property must sign the Master Plan.

Mrs. Harper asked for public comment. Mr. Greg Hopson of Mill Hill Road asked if anyone has talked to the state and if we should talk to our state representative to get an indication of what is going to happen with PennDOT and further asked where the money is coming from, and what the timing is to be done. Mr. Hobson stated he heard through officers of the state that that's way down the road because they are going to finish off the turnpike first and the remainder would have to get grants. Mr. Hopson asked what the states position is on this. Mrs. Harper stated Mr. Vey talks to District 6 regularly and we do not expect PennDOT will pay for the widening of 663 and that is why we are working so hard to make sure that if the board approves developments, that 663 gets widened as part of the improvements. We are allowing more intense uses on an arterial highway and in exchange we are expecting certain improvements be done. Mr. Vey stated the state participated with LifeQuest in a multimodal grant that showed widening to the east of Portzer Road and pedestrian trails, there has been some decision that allows them to use it with the widening of 663 and there are efforts being done to try to find additional funding. The township has made applications for multimodal grants for the widening of 663 from Allentown Road up to Mill Hill Road. The township has acquired property at the Allentown Road and 663 intersection for widening. Mr. Hopson said he just wanted to know if the state was involved at all. Mr. Vey said the state is involved primarily with permitting. Mr. Courduff noted that this township has purchased, with your dollars, a strategic intersection on 663, Allentown Road, and Portzer Road. Both sides of 663 from Allentown Road to the top of the hill is owned by the township. The argument about it's going to cost too much to gain right of way and all that is totally negated. Mr. Hopson said in looking at the whole site he has a couple observations, one being on this plan all the woods on site are going to be totally cleared making it a

parking lot and asked if there is an ordinance of cutting woodlands. Mrs. Harper said there is, and that is one reason a Master Site Plan is needed, to show the open space requirements. Mr. Hopson asked who required the apartments to be built in the first place and asked why we are even considering apartments. Mrs. Harper said when you read the ordinance you can see that the township decided to have a district where these more intense uses, that we are required to have, are located along an arterial highway. That was the decision because we didn't want them where we have farms and it is still rural. The more intense uses, hospitals, apartments, retail are permitted on 663 and in exchange 663 must be improved. Mr. Hopson said right, so that intense use is down on Mill Hill Court where there is one little house that is isolated and will have a four-story apartment looking onto their personal property. Mr. Hopson asked why we are allowing four stories as it doesn't even fit the township make up nor the neighborhood. Mr. Hopson further stated he is concerned that if there is enough traffic generated Wawa is going to come in and build in one of the retail spaces. Mr. Snyder noted the lower two buildings are the ones that back up to Mill Hill Court and the taller buildings are the ones on the internal end of the property, closer to 663. Mr. Smith noted with the establishment of the original master plan in 2010, the height issue was recognized and a 200-foot setback from the boundary of the AMU boundary was established. Any building over 60 feet tall must be 200-feet from the boundary. Mr. Hopson asked what is going to happen to the property values in the neighborhood and half of the traffic will split off and go up Mill Hill Road and he would like that be addressed. Mr. Hopson asked in anyone has spoken to the school district. The school district kept our taxes flat for two years. The district has sold off two schools, one a mile up Mill Hill Road, the elementary school and the middle school on Allentown Road. Now you are going to commit more people. There is going to be an influx of new children which in talking with the school people they did not intend, and the plan is for a decreased enrollment. There is a shortage of bus drivers and teachers, and the taxes will go up. Mr. Snyder stated these are all pre-zoning questions from 20 years ago and no, no one has talked to the school district. Mrs. Harper stated the plan did go to the Quakertown Area Planning Committee and they did review it. Mr. Hopson asked if the superintendent was involved in those discussions. Mr. Vey said he was and is well aware of it. Mr. Hopson said everyone has discovered the shortcut to Target so that is going to be a shortcut for life, it will never go back to like it was. There are 53-foot tractor-trailers coming down Mill Hill Road as well as low-boy tractor-trailers that take up half the road. He is concerned as this used to be a little country road where people used to walk their dogs and push their kids in strollers which cannot be done anymore. Mr. Snyder said he would like to make one correction on record, there wasn't anybody from any of his witnesses that testified that everybody turning left into LifeQuest and then left on Mill Hill would go only to the apartments.

Mr. Joe Bubba, the attorney for St. Luke's said he wants to make one thing clear; St. Luke's fully supports this and they are not objecting to some extent, this corridor ends up being a partnership, but he also didn't think this would go in the direction that it did. Mr. Bubba stated St. Luke's does not own nor is under an agreement to buy 7, 8 or 9. It sounds like there is a perception that St. Luke's could buy those and that is accurate. Mr. Bubba said he is hearing that if St. Luke's does buy that property and they put in a medical office building, he believes St. Luke's has always understood that they would just continue the improvements that have been made from Portzer to St. Luke's Avenue and would finish those on their frontage and would keep going with the widening. Now he is hearing that it's entirely possible because it makes traffic sense that the township might say at that point we want all of 663 done. He stated he thought he heard it will be left up to the private parties. His concern is that what if there is no private party for them to deal with and they build the medical office building and have conditional use approval and one of the conditions is to finish Route 663, the private parties will work that out. He doesn't want St. Luke's to sound like the bad guy when they say why would they ever make the improvements from LifeQuest Drive west to the end of the LifeQuest property. Mrs. Harper said that is what she heard, the triggers for 663 are the next development of 2, 3, 4, but not 7, 8 or 9 up to LifeQuest Drive which will complete 663 to Mill Hill Court, basically up to LifeQuest Drive and the second trigger would be 7, 8 and 9 would build it from LifeQuest Drive to St. Luke's Drive. Mr. Snyder said that is what is offered as the triggers on the Master Plan. Mrs. Harper stated the problem is that because traffic counts are being done section by section, it's possible that the traffic study would show that St. Luke's development of 7, 8 and 9, requires more than the trigger they are suggesting tonight, and we wouldn't know until we get to a conditional use hearing. Mr. Snyder said the discussion should be had between LifeQuest and St. Luke's. Mr. Bubba agreed and said he didn't want there to be inherent pressure on one of the property owners to say why are you not signing this plan and said a discussion should be had before there is such obligation to sign any plan note. Mr. Snyder said a discussion will be had before there is an agreement. Mr. Bubba stated a replacement note will be added to the plan. Mrs. Harper said the proposed change to the note on the plan with the triggers. Mr. Snyder said Mr. Smith will prepare that and he will submit as Exhibit A-11. Mr. Strunk stated he has another question, the taper of 663 is shown on site. Is that the

definition of full width widening if we taper on site or should we be tapering off site. Mr. Snyder said the definition of on-site improvements versus off-site improvements would have to taper ending at the property line. Mrs. Harper said she believes it's going to be whatever PennDOT permits and if PennDOT thinks they should taper a little offsite then they will tell them that. Mr. Vey said it's a vertical site distance problem there.

Mr. Paul Nye of Mill Hill Road stated he, like most of his neighbors, have been there long before 2010 and have been through parts of this process and he, like many others are sensitive to the impact. Mr. Nye stated he has personally sustained impact from the changing of the road and other things in excess of \$25,000 personally. Mr. Vey stated Mr. Nye has sustained more impact than anyone. Mr. Nye said he is here to say that this kind of project has had and will continue to have a huge impact on the neighborhood. He is giving a plea, to minimize the significant impact that this has, whether it's on property value or traffic or security, all of which are being affected and will affect the people of the neighborhood. Mr. Nye stated he hopes there is going to be significant thought given to the five-point intersection at Mill Hill, Mill Pond, Old Bethlehem Pike. He also hopes thought is given to the fact that the apartments are going to generate a lot more traffic and how the traffic is handled. Mr. Nye stated he has concerns that something else might come in that triggers another entrance or access as there is no guarantee that that won't happen two years from now or ten years from now. He understands there are ordinances and rules but it is a unified planned we are looking at the overall impact that is expected and hopes plans are made to take steps to ensure now that things are going to happen to protect or maximize the good flow or minimize the problems. Two other questions or concerns, one is the impervious surface and drainage. He has personal experience in this in that he has lost yard and has put in mulch beds and drainage ditches. The water comes down 663 and washes out his yard. Mr. Nye stated he encourages the township to look carefully at where the water is going. Mr. Nye stated he is concerned about the number of people, heights of buildings, quantity of cars, and traffic.

Ms. Suzanne O'Donnell of Mill Hill Road stated the roads are bad. The Christian School dumps traffic in the corner and it stops the road completely. Ms. O'Donnell said as far as school, it could be settled if it was made a 55 and older. Ms. O'Donnell further stated having all these kids here is dangerous as they are going to be walking around here. You cannot walk on Mill Hill, it is extremely dangerous. Ms. O'Donnell said her sister has dementia and used to walk up and down the road, she can no longer do that. You used to be able to see the stars, now you can't. It is not the same place she moved to in 1979. You are going to hear the trucks bumping and crashing the road. Ms. O'Donnell said she picks trash up every day, it's all over.

Ms. Lori Moyer stated she wanted to thank Mr. Vey. Her husband called about the dump trucks that were continually coming down Mill Hill Road from the construction work at the roundabout and Mr. Vey took care of the problem. Ms. Moyer stated she has lived on Mill Hill Road for 35 years and wanted to say they had a little break for while where traffic wasn't coming through because the road was closed and there was a time the neighbors got to really know each other by walking up and down the road. Now the traffic is just dangerous. It is dangerous just to go to the mailbox. Ms. Moyer asked if Mill Hill Road was studied for impact. The road is very narrow and is falling apart and there are tire tracks in the grass because there is not enough room for two cars to go down that road without giving way on either side. Ms. Moyer said she is afraid somebody is really going to get hurt. Ms. Moyer said speed bumps are not a good idea as it would just back up the traffic. Ms. Moyer said she understands things change and supports that, however; the way it's impacting the community is a safety issue and is not acceptable on Mill Hill Road.

Mr. Chris Collins of Mill Hill Road said he has lived there for 3 years. When he moved there it was a very nice walk down the road and you could walk the whole length and not see much traffic at all. His wife and him walk the road quite a bit and pick up trash along the way, a couple bags easily. Since the detour there has been an increase in traffic volume, large truck traffic, excessive speeds, and dangerous conditions. Mr. Collins said with the apartments coming in he doesn't see this as a temporary problem but as a permanent problem. Mr. Collins said he hasn't heard how many parking spaces are provided with the apartments, you have to figure there is probably a couple for each apartment and two cars. So you are talking about dumping 400 additional cars in and out of Mill Hill Road on a daily basis and the numbers he heard for input and output seem pretty small. Mr. Collins said there are open space sections between the old Rosenberger house with a beautiful view down the whole valley which is now going to be blocked off by two apartment buildings.

Mr. James Wallet of Mill Hill Road stated he is the lead carpenter at the St. Luke's West tower and said he can't say construction is the worst thing. Mr. Wallet said his property backs up the ponds. With the apartments back there there's going to be kids going to the ponds. Mr. Wallet said he takes his dog for a walk every night, picking up trash along the way, and he can't walk across the road at night anymore. There are headlights through his front door and window every night, all night. Mr. Wallet said he is not confident on the traffic engineering and if the apartments

are built and it doesn't work then what, when does the fix come? Mr. Wallet said he will have to deal with it until the next 1W gets built. There has to be a plan now for 663 for everyone. His house value is going down and if he wants to be able to sell his house now, he has to say this is getting built, no one will want to look at apartments. Mr. Wallet said he just bought his house a few years ago because it was quiet. He has ponds that back up to his house. It was a beautiful place and it's not going to be anymore.

Mr. Brian Malachowski of Breisch Road said as Milford grows all the road are getting heavy traffic. Allentown Road, Milford Square Pike, all the surrounding roads are getting extreme traffic, even without 262 apartments. Now we are adding 262 apartments off of Mill Hill Road and we are saying that we can't tie into 663 until the front piece is developed. The only way to eliminate some of the traffic on Mill Hill Road would be to tie that in before that retail space is built. Mr. Malachowski asked why that cannot be done before the retail space is completed to alleviate some of these trials and tribulations that these residents of Mill Hill Road have. Mr. Malachowski said he agrees with some of the people that spoke, you can figure at least two cars an apartment and we were only talking about 50 exits and entries at different times and that seems extremely low for the amount of residents that will be living in the apartments.

Mrs. Harper asked if there were any further comments. There was not. Mrs. Harper proposed the hearing not be closed until the submission of the proposed revised note for the Master Plan is received. Once received, the hearing will be closed and a decision would be made within 45 days thereafter. Mr. Snyder asked if the hearing could be closed and the record state subject to the inclusion of that note. Mrs. Harper asked the board if there would be any other evidence that would be wanted, if not then once we receive the note, then we will consider the hearing to be closed and then a decision will be rendered. The hearing was concluded at 9:35 pm.

**Other Business:**

Authorization to draft Ordinance making Fennel Road one-way; Canary Road to Kumry Road.

Mr. Strunk made a **MOTION** to authorize the drafting and advertising of an Ordinance to make Fennel Road a one-way road. The motion was seconded by Mr. Courduff and passed unanimously.

**Public Comment:**

There was no public comment.

**Adjournment:**

With there being no further business Mr. Strunk made a **MOTION** to adjourn the Board of Supervisors meeting of February 21, 2023 at 9:35 p.m. The motion was seconded by Mr. Courduff and passed unanimously.

**Attendance:** Supervisors present: Charles Strunk, Chair; Thomas Courduff, Vice Chair; and John Mininger, Member. Staff present: Jeffrey Vey, Township Manager; Devan Ambron, Secretary/Treasurer; Peter Andersen, Andersen Engineering; Kate Harper, Timoney Knox; Chris Kletzing, Fire Marshal, and Gregg Kravitsky, Zoning Officer.

**Call to Order:** Chairman Strunk called the Meeting of the Milford Township Board of Supervisors to order at 7:00 p.m.

**Public Comment on Non-Agenda Items:**

Mr. Chris Collins of Mill Hill Road stated he is still seeing a fair amount of truck traffic on Mill Hill Road, eighteen wheelers and dump trucks. Mr. Vey stated he has contacted the construction company working of the roundabout. Mr. Collins said he does not know where the trucks are coming from or going to and if he can catch a name on the side of truck he will call the company and let them know not to pass through. Mr. Vey stated the concrete trucks were working at the Quakertown Vet and should be done now. Grace industries is working at the roundabout, and it has been reiterated that no trucks are permitted on Mill Hill Road. Mr. Vey further stated he has been in contact with PennDOT who had staff out to observe. Mr. Vey reported the bridge on Allentown Road is now open. Mr. Collins asked if signage can be more visible with added verbiage. Mr. Collins further stated for short period of time there were radar limit signs that were taken down a week into it and asked if data was collected. Mr. Vey stated there as and asked Mr. Winkler if the signs could be put back on Mill Hill Road. Mr. Winkler stated the signs could be put back up and they were being rotated. Mr. Vey stated Mr. Kletzing will download the data from the radar signs.

**Announcements:**

**Mr. Kravitsky reported** the Milford Township Zoning Hearing Board will meet Tuesday, March 14, 2023 to hear the application of Kevin Willauer for a Special Exception for an A.7. Agricultural Retail use to allow an agricultural retail store exceeding 750 sq. ft. to sell local produce under section 404A.7, subsection b. Located at 2000 John Fries Highway, TMP 23-010-090 in the RA zoning district. The applicant is seeking the following amendments to his current application. A Special Exception as required under Section 403 Table of Use Regulations to allow the A7 Agricultural Retail use for properties located in the RA Zoning District. A variance from Section 404A.7.b, to allow the sale of products that are not grown, raised, or produced on the subject property. A variance from Section 404A.7.c, to allow the maximum floor area to exceed the limit of 750 square feet by approximately 250 square feet of floor area. A variance from Section 404A.7.e, which requires the A7 use to comply with the yard and setback requirements for the related primary agricultural use. A variance from Section 503 which requires a front yard setback of 100 feet from an arterial highway. The structure's overhanging roof is 46.1 feet from the ultimate right of way line of John Fries Highway. A variance from Section 526 which requires buildings or structures to meet the required and applicable minimum front, side, and rear yard setbacks. The required front yard setback is 100 feet. The structure's overhanging roof is 46.1 feet from the ultimate right of way line of John Fries Highway. A variance from Section 623 which requires all buildings and structures within the Arterial Corridor (Overlay) District to be setback a minimum of 100 feet from the ultimate right of way line of an arterial highway. The structure's overhanging roof is 46.1 feet from the ultimate right of way line of John Fries Highway. The Zoning Hearing Board will also hear the application of Deborah Molnar, Jesse and Alyssa Haring for a Variance, Interpretation/Appeal to allow the construction of a single-family residence on a land-locked tract and allow 20 feet wide accessway to allow ingress and egress under sections 292(b) and 279 for the property located at TMP 23-020-077. Mr. Strunk stated the parcel is a land located parcel which appears 100% wooded and only a certain number of trees are permitted to be cut and the driveway is too narrow. The Zoning hearing Board will also her the application of Dan Gallagher/Milord Township for a Special Exception from Section 804. Extension of Nonconforming Uses and Structures and Section 808. Changes to allow a woodworking shop at the property located at 1975 Trumbauersville Road, TMP 23-020-058-001.

**Conditional Use:**

**Conditional Use Hearing for Del Markward and MVP 663 1, LLC for Milford Village Section One, Route 663, TMP 23-010-175-001, including the Seventh Revised Master Plan for the AMU District site.** Mrs. Harper opened the hearing at 7:08 p.m. Mrs. Harper stated Mr. Marty Smith of Pany & Lentz was in attendance to submit the requested exhibit pertaining to exhibit A-10 Traffic Impact Study most recently updated January 2023 and the executive summary of such. Mr. Smith submitted Exhibit A11- revised note to the Master Plan with triggers for traffic improvements. The exhibit was accepted into record. The hearing was closed at 7:09 p.m. Mrs. Harper stated the



Board of Supervisors have 45 days to deliberate and make a decision on the Master Plan. Mrs. Harper stated a decision will be drafted for deliberation tentatively on the third Tuesday of the month as the only agenda item.

**Subdivision/Land Development:**

**Moyer Milford Square Preliminary Plan of Subdivision, 2060 Allentown Road, TMP 23-010-081, 3-Lot subdivision in the VC-2 Zoning District.** Mr. Scott Mease of Mease Engineering was in attendance to present the proposed subdivision on behalf of the applicant, Ralph Moyer. Mr. Mease stated the subdivision has been before the board as a sketch plan. The plan proposes to divide an existing lot, that includes an existing single-family dwelling and a shed, into three lots. Mr. Mease stated as there is no public water line the applicant is proposing on lot wells. They have appeared before the Water Authority on several occasions as part of the sketch plan to seek a waiver, to allow on lot wells. The Water Authority recommend the waiver to allow the installation of wells. Mr. Mease stated the applicant appeared before the Planning Commission with the Preliminary Plan proposal. The Commission made a recommendation of Preliminary/Final plan approval. Mr. Mease stated the applicant is here before the board tonight to request Preliminary/Final approval. Mr. Mease further stated the items from the Andersen Engineering review letter will be satisfied. Mr. Mease stated the applicant is proposing wells now and when public water is available the properties will hook up to public water. Mr. Mininger said he was under the impression there was to be a discussion to see what could be worked out with cost sharing for the public water. Mr. Mease stated a possible discussion was brought up by Mr. Courduff, the question wasn't raised at the Authority meeting, and he feels he has done what he was asked to do. Mr. Courduff stated he believes this board and the Township feel the Village Commercial District area, a public water district, should have public water service and he is inclined to agree with the extension of the water service with possible township contribution, if agreeable. Mr. Courduff stated this should be considered for the extension of water for fire services. Mr. Courduff further stated he has not seen plans, calculations, or the cost to install public water. Mr. Mease stated part of the issue with cost sharing is the minimum lot size which is 21,000 square feet, and the value of the property does not justify the cost, which is almost \$300,000. Mr. Courduff said we are not asking Mr. Moyer to put out \$300,000, we are asking for cost sharing which will also be a benefit for fire protection. Mr. Mease said that is part of what was looked at, and per conversation with an appraiser, the value isn't there if the applicant is to pay for half of a water line. Mr. Mease stated the township paid \$70,000 for two lots, which shows the values are not high. Mr. Vey asked what lots. Mr. Mease stated he will have to look up the parcel numbers. Mr. Moyer stated he does not see how he can contribute towards a \$300,000 water service crossing a state highway. Mr. Courduff stated to date he has not seen anything pertaining to costs and he wants to see it writing. Mr. Courduff said the township is not asking for a 12" line to be installed and is asking Mr. Moyer to participate in something that would benefit his cost. Mr. Mease asked about contributing the cost of two wells. Mr. Courduff said he would suggest a third connection as well. Mr. Strunk said we have to consider the big picture and any piece we can get along the way to Foulkes Mill Road is a good thing. Mr. Strunk stated the township is willing to pay for some of the expense with Covid Funds and that piece is an intricate part of our water system. Mr. Vey stated a conversation was had and he will put something together that is fair to Mr. Moyer and the intent is to use township funds to complete the public part. Mr. Vey further stated in looking back at the minutes of the Water Authority it is stated a request was made to the Water Authority to cover a portion of the cost for the water main to the property line, approximately \$66,000 of the total cost of \$287,000. It was recommended the township grant the waiver with the condition that a deed restriction be placed on the property, requiring water supply connection to the authority if a connection is constructed in that area. The objective is to see if the township can cover the cost, 8" not 12" just on the frontage. It must be taken into account how the utility poles are lined up, the width of the roadway, and the position of the catch basin. There is a possibility of the water line not being installed in the road. Mr. Vey further stated there is existing flagstone and concrete and most properties don't have sidewalks. There are concerns with the water quality. If the subdivision is approved with just wells, an unsuspected property owner gets stuck with having to deal with remediation. Mr. Vey said if we go ahead there cannot be a half commitment there has to be delivery in a reasonable time frame. Mr. Mease asked if an escrow could be posted for the connection of the 3 lots. Mr. Vey asked if it would also include the 8" frontage. Mr. Mease said that would be way too much and it would still be close to \$100,000. Mr. Courduff noted if there was a water main next to Mr. Moyer's property, he would be required to extend the water main in front of the property plus pay all required fees. Mr. Courduff said we are talking about public health, safety, and welfare. Mr. Mease said he thought we had this worked out with the sketch plan. Mr. Courduff said this township has not waived the installation of public water. Mr. Mease stated they went back and received a waiver from the Water Authority which they were told to do. He thought this was all done with and the waiver was issued. Mr. Courduff said we are talking about water.

Mr. Moyer said he does not want to put the burden on the township, to run a water line for 2 lots and asked what if it was one lot. Mr. Courduff said that is the issue, it is not just your lot, it is also providing for the fire co. We are to look out for the health safety a welfare of the community, that is what we are doing, and the water quality is not good, treating iron and manganese is not an easy task. Mr. Moyer said that is not on the township, it is on the Board of Health and the water quality won't be known until the well is drilled. Mrs. Harper asked if there is an existing well on the property and asked if it has been tested, Mr. Moyer said there is, and it is tested every year. Mrs. Harper said if the plan is approved with wells and the lots are sold there is a possibility the owner would not be able to use the water. Mr. Moyer said if the cost was \$100,000 it will still knock the project out. Mr. Moyer said the township purchased two lots just under an acre for \$70,000. Mr. Vey said it was two lots totaling .92 acres. Mr. Mininger stated the property has no sewer. Mr. Vey said the seller was asking \$150,000 and took a tax benefit to get down to the lower price. The structure on the property is to be removed and expensed, and this is not the same, not even close. Mr. Vey said we have not sat down to try to figure out what the real numbers are and if the township can come to the table and not lose an opportunity to do real community work. Mr. Moyer said he would love to be able to do something, but to run the water line, he would want to just escrow the hook up fee for the two lots he just wants a fair shake. Mr. Mease said just the water main is \$287,000. That would be from Milford Square Pike, up Allentown Road. Mr. Courduff said we have the Fire Chief here and asked what his thoughts were on fire protection in the area. Chief Butler said a hydrant at the intersection would be a benefit. Currently a tanker truck would be needed to help run water. Mr. Moyer asked if the hookup fees could be escrowed, like \$30,000 and if it would help move the project along. Mr. Strunk stated it doesn't sound like enough. Mr. Courduff said suppose the township extended the water main to the 1<sup>st</sup> lot and Mr. Moyer picks it up at that point. Mr. Mease said cost wise it would be about \$100,000 and \$30,000 in connection fees. Mr. Courduff said we do not have the answer tonight. Mr. Courduff asked Mr. Vey to get together to crank out the numbers and logistics. Mr. Moyer said he thought this was going to go through and he realizes what is trying to be accomplished but for him it must be cost effective. Mr. Strunk noted without waivers the cost would be a lot more. Mr. Vey said we are all going to sit down to come up with the numbers. Mr. Moyer said when you look up and down road the at every other property this lot looks funny as it is one lot standing there vacant, and he would have to take the burden to run the full length. Mr. Courduff said Mr. Moyer would not have to run the full length but will have to participate in the cost for three lots. Mr. Moyer said and leave the existing house on a well and asked if there was any other options to get the subdivision done that won't need water or a tie in. Mr. Moyer asked if he could possibly get the one lot under an AG use. Mr. Andersen stated he does not think that is an option. Mr. Moyer said he thought he recalled something about an AG use. If he lobs off the exiting house and does a simple subdivision and make the rest farm, then no water is needed, and he is still willing to buy sewer hookups to help with the water line. Mr. Strunk said we are not getting anywhere and will talk about this further at the next meeting. Mr. Moyer asked if there was ever a property in the water district that ran out of water and was granted permission to put in a well? Mr. Vey said he does not recall, and it would have to be researched. Mrs. Harper noted the subdivision is triggering this requirement.

**Rotenberger Preliminary Plan of Subdivision, 2330 Milford Square Pike, TMP 23-010-172, 3-Lot subdivision in the RD Zoning District.** The Rotenberger Preliminary Plan of Subdivision was tabled.

**Other Business:**

**Tax Record Dissolution, Tax Receipts 2013-2018, Tax Certification(s).** Mrs. Betsy Moyer, Tax Collector, requests approval to properly dispose of receipts from tax years 2013-2018, per the Municipal Manual TA-12 which requires the records to kept for 2 years along with tax certification copies, per TA-2.

Mr. Strunk made a **MOTION** to approve **Resolution 2023-09**, Subject to verifying there is nothing that will compromise the audit, to dispose of tax receipts from the tax year 2013-2018 along with tax certifications. Mr. Mininger seconded the motion. The motion passed unanimously.

**Correspondence:**

**Coopersburg Borough Fire Police Assistance Request.** The Coopersburg Police and Fire Police have requested assistance with traffic control during the Coopersburg 5K on Saturday, May 27, 2023.

Mr. Mininger made a **MOTION** to approve the request of Fire Police assistance for the Coopersburg 5K run being held on Saturday, May 27, 2023. The motion was seconded by Mr. Strunk and passed unanimously.

**Quakertown Community Day Donation Request.** A request has been received from Quakertown Borough to contribute to the annual 4th of July Community Day. Mr. Strunk recommended Milford Township donate \$2,500 to the event.

Mr. Strunk made a **MOTION** to contribute \$2,500 to the annual Quakertown Borough Community Day. The motion was seconded by Mr. Mininger and passed unanimously.

**Quakertown Area Planning Committee Meeting Minutes.** Mr. Vey stated the QAPC has begun discussion on the PennDOT Regional Transportation Project, and he will be reviewing it with Mr. Winkler to see if there are projects to add. Some projects may evolve into maintenance vs. capital. Mr. Vey asked if the board has anything to add to the list. Mr. Courduff asked if the replacement of Engelman's Bridge is realistic. Mr. Vey stated the project should be kept on the list.

**Bucks County Airport Authority Meeting Minutes.** Mr. Mininger stated the terminal building project is ongoing and there was some discrepancy with the foam insulation that have been resolved. Mr. Mininger stated following the reorganization meeting there were not changes and he remains Chairman.

**Milford Township Water Authority Meeting Minutes.** Mr. Vey stated the minutes are available for review. The meeting minutes of December 13, 2022 discuss the Moyer Subdivision. Mr. Courduff asked if they now have a chairman as he wasn't on the list attendees. Mr. Courduff asked if the new appointments were sworn in. Mr. Vey stated he will look into it.

**Milford Trumbauersville Area Sewer Authority Meeting Minutes.** Mr. Vey stated the minutes are available for review. There was some discussion on the Act 537 plan.

### **Reports:**

**Code Enforcement Departmental Report.** Mr. Kravitsky presented the February 2023 Code Enforcement Report. A total of 17 permits were issued in February: 3 zoning permits, 5 residential renovation permits, 4 residential accessory permits, 1 residential addition, 2 commercial permits, and 2 single family dwellings. A total of 7 Use & Occupancy permits were issued and 13 fire inspections were performed. Two Zoning Hearing Board Application were received. Mr. Courduff asked how close the hospital is to opening. Mr. Kravitsky said close, they should be having final inspections coming up and a TCO has been issued as there are a few things left on the list. Mr. Courduff asked Chief Butler if he has done a walk through. Chief Butler said he has and there are a few items that have been noted.

**Public Works Departmental Report.** Mr. Winkler presented the February 2023 Public Works Report. Mr. Winkler stated the Public works department had a busy month removing ash trees. Dave's services helped remove large ash trees from Fennel, Old Plains, Skymount, Mill Pond, Brick Tavern, and Possum Hollow Roads. Posts have been installed for the public works storage building. The crew has been out patching potholes throughout the township and was out a total of three times to salt this month. Mr. Winkler stated the traffic counts were looked at for Mill Hill Road. The average count was 650. On Monday, February 20<sup>th</sup> there were 1,422 vehicles one way. The average speed was 34mph and the posted speed limit is 35mph. Mr. Winkler stated on Saturday it was very busy with 800+ cars and hopefully now that the Allentown Road bridge is open it will change. Mr. Strunk asked if you could distinguish between trucks and cars. Mr. Winkler stated you cannot. Mr. Richard Schilling stated February 20, 2023, school wouldn't have had an impact as school was closed and that is an anomaly.

**Trumbauersville Fire Company Report.** Mr. Strunk stated the Trumbauersville Fire Company report is available for review.

**Milford Fire Company Report.** Chief Butler presented the February 2023 monthly report. There was a total of 19 incidents in February and a total of 46 for the year. The new deputy truck is at the up fitter now. The Special Service vehicle is on the lot at Ford waiting for a chip so it can be release to the dealership and delivered. The Fire Company is meeting up with the carnival company to discuss the carnival. A gun raffle fundraiser will be set up at the carnival this year. The Fire Company is finalizing last year's AFG 2021 air compressor grant, and everything is in for 2022 which will be used for new gear. New thermal imaging cameras from the State Grant will be ordered to replace the old ones. Chief Butler said they are looking into the replacement of Engine 57 and will be working on the committee coming this spring/summer in hopes of having a decision by the new year and working on financials for the purchase. The average cost for an engine is between \$850,000 and \$1million dollars. Mr. Courduff asked if the Fire Company is looking for something used. Chief Butler stated they are looking for new as it is the truck that gets used the most. Chief Butler stated the Fire Company is looking into repairs that are needed at the old station and are also looking into the financials for these projects. Mr. Courduff asked Mr. Sink how the LOSAP Committee is coming along. Mr. Sink

stated he is trying to run a program on ER to get all the hours, calls, and training, not including the committee meetings and events and he has to start a matrix and hopes to have it done soon.

### **Manager Report.**

**Allentown Road/Rt 663.** Mr. Vey stated he is really proud of PennDOT Bucks County Maintenance for jumping on the Allentown Road bridge. The bridge was closed February 23<sup>rd</sup> which caused problems with the roundabout detour in place. Mr. Vey said he had a meeting with the bridge unit where alternatives were discussed. It was noted the bridge should be replaced but needed to be open. On February 27<sup>th</sup>, with the urgency being closure and traffic patterns, Mike Quali, Assistant Manager, stepped up and the bridge was repaired. Mr. Quali sent pictures of the repair and kept in contact. Paul Pfeifer (Bridge Foreman), Rob Kondyra (AKA Rob the welder) Tim Hunt, Drew Lindenmuth and Sarah Holtz (operators) all showed a sense of duty and pride in their workmanship. PennDOT used what was out there, welded and repaired concrete very competently. It was a 10-day turn around. Mr. Strunk stated if Mr. Vey hadn't gotten involved the bridge would have been closed for years. Mr. Vey stated he wants to put a highlight on the fact that there are 2 bridges at the intersection that have been on the 12-year program for 20 years. The township has gotten involved with right-of-way acquisition. Mr. Strunk stated the township owns all four corners and have given all the right-of-way as needed. Mr. Vey said he hears bridge work may begin in a year but it will be more like 2 or 3. Mr. Vey said the road will be closed over the Licking Creek bridge and the good news is the roundabout will be open at that time. Mr. Mininger asked if they will close both bridges at once. Mr. Vey said 663 will not be a full closure from what he understands.

**Milford Trumbauersville Area Sewer Authority Pump Station.** Mr. Vey stated the Sewer Authority is looking at a generator house made of precast concrete that can be made to look nice for the pump station on the corner of Allentown and 663.

**Sunoco Sign Rendering.** Mr. Vey stated Sunoco has submitted a color rendering sign package for review and conversations have been had with the applicant regarding architectural controls. Mr. Vey said he went over the United States in street view and found a Sunoco in Oxon Hills that uses a beige/tan color for the canopy and blue for the Sunoco logo and the ground mounted pedestal with LED price changing. Mr. Vey asked what we are looking for and exact colors need to be specified. The installer and owner do not care as it has to go to corporate for approval and there seems to be no problem with the basic color scheme. Mr. Courduff asked if there is any tank work being done. Mr. Kravitsky stated there is. Permits were just issued to work on the pumps and tanks. The pumps and tanks must be checked out to make sure there are no leaks before moving forward with gas and diesel. They will need to repave around the pumps as well. Mr. Vey asked Mr. Kravitsky what is happening with the structure specifically the back wall. Mr. Kravitsky said the applicant was in yesterday and will submit plans for the inside. Mr. Courduff said he thought testing was being done there and he can't imagine Sunoco going in there without water testing being done. When Wawa came in testing was required and testing is still being done, tanks have a special area and dual tanks with testing done in mid area. Mr. Kravitsky said he does not know if there is anything in the file for TCE and BCO testing. Mr. Strunk said we required leak detection when the tanks were put in and asked Mr. Kravitsky to see what was conditioned before it is approved.

**PPL Grant of Right-of-Way.** Mr. Vey stated PPL is seeking the Grant of Right-of-way along Mill Pond Road, TMP 23-015-060 & 23-015-076 for the removal and installation of utility pole(s). PPL is looking to remove 2 poles and install 3 new along with anchor guidelines. Mr. Vey stated the main scope of this job is PennDOT replacing the county owned bridge on Mill Hill Road.

Mr. Strunk made a **MOTION** to approve and execute the PPL Grant of Right-of-Way for Mill Pond Road, TMP 23-015-060 & 23-015-076 for the removal and installation of utility poles. Mr. Courduff seconded the motion. The motion passed unanimously.

**Bucks County Mosquito Control Program Permission to Apply Pesticide(s) to Municipal Properties.** Mr. Vey stated the township has always cooperated with the program in the past and a lot of useful information has been provided to the township that includes testing and trapping for West Nile Virus, Lyme disease, gravid traps, and ultra-low volume truck spray. Mr. Strunk stated he does not have a problem with program participation.

Mr. Strunk made a **MOTION** to approve Milford Township's participation in the Bucks County Mosquito Control Program. The motion was seconded by Mr. Courduff and passed unanimously.

**Faith Christian.** Mr. Vey stated plans were distributed for the Faith Christian Allentown Road campus. Mr. Mease and Mr. Henry Thompson, Faith Christian, were in attendance to discuss the proposal. Mr. Mease stated the plan is to get cars off Allentown Road as there are traffic issues during drop off and pick up with vehicles queuing on Allentown Road. The sketch plan shows a new stone driveway, closer to the entrance, with a 90 degree turn to match up to the existing parking lot. Mr. Courduff asked if there any signage is proposed. Mr. Mease stated not at this time and the first priority is to get cars off the road. Mr. Courduff said anything would help right now. Mr. Courduff inquired to the proposed modulars shown on the plan. Mr. Mease said there are currently two modulars on site now and Faith Christian would like to add two more and noted there were five on site when Quakertown owned the school and said the modulars will be placed on existing impervious surface. Mr. Mease stated the applicant will have to seek approval with the Bucks County Conservation District for the installation of the driveway. Mr. Thompson asked if there have been any thoughts on the issues at Tohickon and Faith Christian would love the opportunity to buy the adjoining property. Mr. Thompson stated they have staggered the drop off and pick up times which seems to have helped. Mr. Courduff asked how much the detour has affected the school. Mr. Thompson said he hasn't heard too much. Mr. Courduff stated he has no problem with the proposal, it is a start, and he appreciates the school. Mr. Richard Schilling asked Mr. Mease if they are increasing the square footage how much it is being increased. Mr. Mease replied a lot of underground storage has been installed, enough to handle 12,000 square feet and with the driveway the total will be 8,000 square feet. Mr. Malachowski asked if the front ditch can be looked at as it is collapsing along with the culvert under the road. Mr. Courduff asked Mr. Andersen if Mr. Malachowski's prior comments were addressed. Mr. Andersen stated he went out and looked at the issue and did not think there was excessive run off. Mr. Malachowski stated water runs off the Lara property, then floods out the bridge then goes up on his property. Mr. Courduff asked Mr. Andersen if that could be determined. Mr. Andersen stated he would be happy to look at the issue again. Mr. Malachowski recommended they all get together to look at, not just the ball field, but out in front coming off Breisch Road as well. Mr. Courduff asked Mr. Thompson if he would authorize his engineer to meet with the Township to straighten the issues out. Mr. Thompson stated he does.

**Splash Pad.** Mr. Vey stated Mrs. Ambron has been dealing with the DCNR Grant for the splash pad and is hoping to start laying out a sequencing schedule. We are hopeful to try to get the splash pad completed before the season is over.

**Act 537.** Mr. Vey stated mapping is being done of the sewer service area. The map was gone over parcel by parcel. There were issues getting to Beechwood Acres and they tried to send out a force main past properties that have permitted large lot systems. Problem areas are being identified. Things are moving along, and they will be freshening up the demographics and narrative itself.

**Commerce/663 Signal Detection.** Mr. Vey stated the defective detectors at the Commerce Drive/Route 663 intersection have been swapped out. Mr. Winkler stated everything is now working as it should.

**1889 Trumbauersville Road Lease.** Mr. Vey stated approval is sought to allow the tenants of 1889 Trumbauersville Road, G. Talley Carpet & Flooring, to make capital improvements to the building in lieu of rent. Mr. Vey stated improvements include insulating the pole barn and installing a gas furnace to keep the building just above freezing for material storage. Mr. Richard Schilling asked what the actual trade-off is, in dollars. Mr. Vey stated quotes were obtained, \$14,875 from Bull Dog Insulation and \$8,500 from R. Williams & Daughters for insulation of a gas furnace. Mr. Vey stated the improvements then become part of the real estate.

Mr. Mininger made a **MOTION** to approve the Capital Improvement request in lieu of rent for the Township owned property located at 1889 Trumbauersville Road. Mr. Strunk seconded the motion. The motion passed unanimously.

#### **Public Comment:**

Mr. Robert Flack of Mill Hill Road stated when you turn off Old Bethlehem Pike onto Mill Hill Road there are rocks there and when you try to avoid the rocks while turning left there is a pothole full of water. Mr. Winkler stated the pothole is off the road and if delineators are put there they will get mowed off. Mr. Winkler stated he will go out and look at it.

Mr. Richard Schilling of Sheetzs Church Road said Jeff Vey did a great job with PennDOT and the bridge and it is not an easy feat as he knows from his experience, to get them off the dime is not an easy thing.

Mr. Robert Wolfe of Canary Road stated Fennel Road was approved to be a one-way road with no trucks and asked if it would be possible to also put a no right turn onto Canary Road. Mr. Wolfe stated his retainer wall is falling in from trucks running into it. Mrs. Harper said the signs can be installed not but enforced until the ordinance is adopted.

**Adjournment:**

With there being no further business Mr. Strunk made a **MOTION** to adjourn the meeting of March 7, 2023 at 8:46 p.m. The motion was seconded by Mr. Courduff and passed unanimously.

**Attendance:** Supervisors present: Charles Strunk, Chair; Thomas Courduff, Vice Chair; and John Mininger, Member. Staff present: Jeff Vey, Manager; Devan Ambron, Secretary/Treasurer; Peter Andersen, Andersen Engineering; Kate Harper, Timoney Knox; Chris Kletzing, Fire Marshal, and Gregg Kravitsky, Zoning Officer.

**Call to Order:** Chairman Strunk called the April 4, 2023 meeting of the Milford Township Board of Supervisors to order at 7:00 p.m.

Mr. Mininger made a **MOTION** to amend the agenda to announce the Board of Supervisors met in executive session on March 28, 2023 to discuss with the Township Solicitor potential litigation and real estate. Along with amending the agenda to include the consideration of reducing Conditional Use Application Fees for Mike Orlic for Milford Village Offices, Store #3, 2115 Allentown Road, and the addition of PSP Report. The motion was seconded by Mr. Strunk and passes unanimously.

**Public Comment:** Aaron Powell, 1270 Wright Road, seeks approval to host a client appreciation event at Molasses Creek Park on September 23, 2023. Mr. Powell stated he holds this event annually. He would like to have a firework display at the end of the event as he has done in the past and asked if it is okay where to set up. Mr. Strunk stated the Fire Company sets the fireworks up in the back field and he would need to coordinate with the Fire Marshal. Mr. Mininger asked if this is a professional fireworks company with insurance. Mr. Powell said it is, Celebration Fireworks out of Slatington, PA and they have done local firework displays. Mr. Strunk said the township must be named as insured. Mr. Vey inquired as to the number of people attending and how much parking would be needed. Mr. Powell said typically 40 to 60 people attend the event and he is hoping to utilize around the other building as well. Mr. Vey stated parking would need to be coordinated with Fire Police. Mr. Powell added his son will be an Eagle Scout this year and they are looking for ways to give back to the community and he is wanting to get an opinion on starting an annual chili cookoff event. Mr. Powell said he would work with the fire department and all fees would be donated to local charities. Mr. Mininger asked if the event would also be held at Molasses Creek Park. Mr. Powell said yes.

Mr. Strunk made a **MOTION** to approve the request for the use of Molasses Creek Park on September 23, 2023 for the requested Client Appreciation event. Mr. Courduff seconded the motion. The motion passed unanimously.

Mr. Chris Collins of Mill Hill Road stated truck traffic is still a problem on Mill Hill Road and drivers are ignoring signs at both ends of the street. Mr. Collins said he has put 30 calls in to different companies regarding the trucks on Mill Hill Road to which some respond they will look into it and others are unresponsive. He would like to know if something can be done as far as enforcement. Mr. Kravitsky stated he has been in touch with the Dublin State Police and Cpl. Billger is in attendance and may be able to address. Mr. Kravitsky stated PennDOT has put up new signs and he has spoken with the State Police regarding increased patrols. Cpl. Billger stated extra patrols can be put out throughout the day, depending on the volume of calls that day, and Troopers have been out since the phone call was placed. Mr. Strunk asked if this is something that could be enforced with proper signage. Cpl. Billger stated yes. Mr. Kravitsky said they may want to add truck inspections as well. Mr. Mininger asked what defines a truck. Mr. Kravitsky said it goes by gross weight. Cpl. Billger added as well as length and size. Mr. Collins said he has seen all types of trucks and the signage on the south side of Mill Hill is lacking as it is placed as you have already come into LifeQuest and feels it should be placed further out. Mr. Strunk stated trucks are allowed to come into LifeQuest. Mr. Collins said he understands but they may be missing the signs.

**Approval of Minutes:** Mr. Mininger made a **MOTION** to approve the February 21, 2023 and March 7, 2023 Meeting Minutes. The motion was seconded by Mr. Courduff and passed unanimously.

**Financial Report:** Having reviewed the current bills list, Mr. Strunk made a **MOTION** to approve the invoices for payment, along with the Treasure's Report of February 28, 2023. Mr. Courduff seconded the motion. The motion passed unanimously.

Mr. Courduff made a **MOTION** to approve and advertise the Concise Balance Sheet of December 31, 2023. The motion was seconded by Mr. Strunk and passed unanimously.

**Conditional Use:**

**Milford Village, Section 1, Route 663, TMP 23-010-175-001.** Mrs. Harper stated the Draft Order and Decision had been sent to applicant's attorney, Mr. Snyder, prior to the meeting for his review. Mrs. Harper said the Order would

grant approval of the Seventh Revised Master Plan and the apartment use in accordance with zoning. The Order requires the following: traffic improvements be planned for and incorporated; funds shall be set aside and secured to provide for the construction of two travel lanes in each direction with required turning lanes and without tapers for Route 663 improvements along the Route 663 frontage of the AMU site extending from its western boundary to LifeQuest Drive together with a left running lane for eastbound Route 663 traffic turning into LifeQuest Drive to be extended to 275 feet; funds shall be set aside and secured to provide for the construction of two lanes in each direction Route 663, with any land development plan approved for Section 1E, 2, 4, 25, 7, 8 and 9 prior to the recording of any approved land development plan; funds shall be set aside and secured to provide for the construction of Abby Lane improvements, including a roundabout at or before its intersection with Mill Hill Road to deter through traffic, with the approval of land development for Section 1W or 1E; the timing and approval of additional appropriate traffic improvements shall be secured and set aside to provide for such improvements when deemed necessary by the Board of Supervisors; Abby Lane improvements shall be required and the timing, final design, and financial security shall be subject to the advice and consent of Milford Township. Any land development plan approved for Sections 1E (retail), 2, 4, 5, 7, 8, and 9 shall be subject to Financial Security Agreements. Abby Lane improvements include: a roundabout at Abby Lane's intersection with the access to parking for 1W (apartments) and 1E (retail). Access from Mill Hill Road may be taken with land development of Section 1W, but no access to Route 663 shall be taken at that stage; a roundabout at Abby Lane's intersection with Mill Hill Road to deter through traffic; an intersection of Abby Lane with Route 663 that shall be designated for signalization when warranted, and/or the intersection shall be restricted to right-in/right-out turning movements which shall provide a medial separation in the center of the road or other effective design approved by the Board of Supervisors to ensure no left turns can be made. The applicant shall secure all outside agency approvals, specifically the approval of PennDOT for the Route 663 roadway improvements. The applicant shall indemnify and hold Milford Township harmless from any increased stormwater facilities maintenance or other costs required by PennDOT; the Seventh Revised Master Plan must be revised to comply with the conditions and recorded within 180 days unless an extension is granted. Mrs. Harper stated the Decision cites the applicant's preferred triggers, some of which are the same. The Board is requiring financial security up front. The Planned Commercial Apartments are permitted. All terms and conditions of the Conditional Use approvals for Milford Village Center previously rendered are incorporated in the Order and Decision. Mrs. Harper noted retail is not part of this approval. Mrs. Harper asked for public comment. Mr. Snyder, attorney for the applicant, stated the appropriate time for escrowing is at land development and he has met and discussed the Order and Decision and the applicant is willing to work with township as provided here. He does think it goes beyond the law, but it can work. Mr. Snyder had comments on Order 6c. Mr. Snyder said no median break would not allow lefts into the project and here is an absolute need to make a left turn into the project as it is what makes LifeQuest Drive function. No left turn would force all left turns at one intersection. Mrs. Harper said the way she hears it is whether we should insert the word no left out into 6c. Mr. Snyder said they would be able to work with no left turns out and do not intend to allow left turns out. But left turns in at the unsignalized road are essential to allow traffic that exists to be able to function, it won't function if you are only allowing turns at LifeQuest Drive. Mrs. Harper said the Board is being asked whether they want to amend the decision to say no left turns out can be made. Mr. Snyder said no break in the median to allow motorists someplace to go, you cannot allow Abby Lane with no left turn as it is a necessary function. Mr. Snyder said this design has been done by PennDOT, gap when light changes at LifeQuest Drive allows left turns into the site. PennDOT has reviewed and issued a permit. Not having significant traffic out, it is the traffic on the minor road that warrants it. This is a place to get cars safely off the intersection, 400 cars at peak doesn't work to make a left turn at the signal. It is why it has never been planned that way. Mr. Snyder said maybe there is a better way to design the median area so no one can make an unsafe turn. Mr. Mininger asked Mr. Snyder if he is proposing no left turns in without a full improvement of Abby Lane and 663 with full stacking lane. Mr. Snyder said that is correct and that is shown on the plan. Mr. Mininger said the township is also asking for escrow for a light at Abby Lane. Mr. Snyder said PennDOT does not treat left turns as part of the warrant function. Mr. Mininger said to be honest with the proper stacking lane he has no problem with allowing left turns in. Mr. Courduff said what he is hearing is PennDOT would not approve a warrant for the signal we are suggesting. Mr. Snyder said that is what Mr. Terry has explained to him. Mr. Courduff said if PennDOT wont issue a warrant for a traffic light and we are getting a stacking lane with median, what else can we get there. Mrs. Harper said the land development plan does show a left turn lane in. Mr. Snyder said yes, it is a permitted part of the 663 improvements. Mr. Andersen said the stacking lane is almost 500 feet long at Abby Lane. Mrs. Harper said if the Board likes we can add the word out, then they can use the stacking lane for left turns in. Mr. Mininger said right now there is no plan to connect Abby Lane to 663. Mr. Snyder said connection would be done with 1E. Mrs. Harper asked



if there was any public comment at this time, there was not. Mrs. Harper said Section 6c. will be revised to read; an intersection of Abby Lane with Route 663 that shall be designed for signalization when warranted, and/or the intersection shall be restricted to right-in, right-out and left in turning movements which shall provide a medial separation in the center of the road or other effective design approved by the Board of Supervisors to ensure no left turns out can be made. The change will be made and sent out tomorrow.

Mr. Mininger made a **MOTION** to approve the Conditional Use Order and Decision for the Milford Village Seventh Revised Master Plan with an amendment to the Order, Section 6c. to allow left-in turning movements.

Mr. Courduff voted aye and Mr. Strunk voted nay. The motion passed.

### **Subdivision/Land Development:**

The Moyer Milford Square Preliminary Plan of Subdivision, 2060 Allentown Road, TMP 23-010-081, 3-Lot subdivision in the VC-2 Zoning District was tabled.

**Rotenberger Preliminary Plan of Subdivision, 2330 Milford Square Pike, TMP 23-010-172, 3-Lot subdivision in the RD Zoning District.** Mr. Scott Mease of Mease Engineering was in attendance to present the proposed Preliminary Plan of Subdivision. Mr. Mease stated the subject property consists of 10.209 acres located between Milford Square Pike and Route 663 and improved with a single family detached dwelling. The applicant proposes to subdivide the parcel into three lots. Lot 1 will consist of 6.276 acres and contain the existing single-family dwelling, barn and outbuildings. Lot 2 will consist of 1.703 acres and lot 3 will consist of 2.23 acres, a single-family dwelling is proposed on both lots. All lots will be served by public water and sewerage systems. Mr. Mease stated the proposal was submitted, reviewed by Andersen Engineering, and revised to satisfy the comments. Mr. Mease noted the Planning Commission made a recommendation of Preliminary/Final Approval at the March 29, 2023 meeting. Mr. Mease stated there are a few housekeeping items to address. The property has frontage on 663. A note has been added to the plan that there shall be no access onto 663 and there is shared access for lot 2 and 3 off Milford Square Pike. Mr. Mease stated the lighter shading on the plan is a shared utility easement and the darker shading is open space which encompasses wetlands and buffers. The applicant proposes private ownership of the open space. The requested waivers are standard. A partial waiver from roadway improvements has been requested. Following discussion with township staff, the applicant has proposed to install a new inlet and 130 linear feet of pipe down the property line to tie into an existing inlet. The last item to address is impact fees which are to be paid at the time of building permit application. Mr. Vey stated the fee is typically \$1,500 traffic impact fee and \$1,850 recreation fee in lieu of providing recreation land and facilities. Mr. Vey asked if a deed restriction of open space and restriction of access to Route 663 has been provided. Mrs. Harper stated this can be a condition of approval. Mr. Mease stated the open space will be described and he is trying to encompass all the wetland area. Mrs. Harper asked if the open space that is being shown encompasses all 3 lots. Mr. Mease stated it does. Mrs. Harper said the deed will be recorded against all three lots. Mrs. Harper asked Mr. Mease if the applicant is seeking Preliminary/Final Plan approval. Mr. Mease stated yes, and the Planning Commission recommend Preliminary/Final Plan approval. Mr. Strunk stated comment 3 of the Bucks County Review Letter states the proposed driveway shown on Sheet 2 of the plan crosses delineated wetlands and wetland margins. Mr. Mease said when the first plan was submitted it was running off of a 10-15 year old plan and there is a crossing along with a pipe there currently. The new wetland delineation does stop where it is shown on the current plan. Mr. Andersen stated he did review the new delineation. Mrs. Harper said it looks like public improvements are waived, no financial agreement, if waivers are granted there will be no public improvement. Mr. Mease said the applicant is proposing a catch basin or inlet and 130' of pipe.

Mr. Mininger made a **MOITON** to grant Preliminary/Final Plan approval for the proposed Rotenberger Plan of Subdivision with the following conditions: deed restrict the entire property providing no development on the open space; at the time of building permit request for lot 2 and lot 3 the applicant shall pay the required \$1,500 traffic impact fee and \$1,850 parks and recreation fee for each lot. The motion was seconded by Mr. Courduff and passed unanimously.

**Geissinger, Preliminary Plan of Subdivision, Allentown Road, TMP 23-005-050. Proposed 2-lot subdivision in the RA (Rural Agricultural) Zoning District.** Scott Mease of Mease Engineering was in attendance to present the Preliminary Plan of Subdivision. Mr. Mease stated the plan was brought before the Board previously as a Sketch Plan. The property is located on the east side of Allentown Road just south of the border of Springfield Township. Mr. Mease stated this is a minor 2 lot subdivision of a 30-acre parcel where the applicant proposed to subdivide 2 acres leaving the remaining 28 acres for agriculture use. A single-family dwelling is proposed to be built on lot 2, which is a

flag lot with 50' of road frontage, 25' for each lot. Mr. Mease said discussed during the Sketch Plan review was to restrict the 28-acre parcel from further subdivision, a note has been added to the plan for such. Mr. Mease stated the Planning Module has been submitted and there are no outstanding items left regarding the plan. Mr. Strunk asked if there are sites for the septic and an alternate site. Mr. Mease stated there are for proposed lot 2 which can be found on Sheet 2 of the plan. A waiver has been requested for the 28-acre agricultural lot as it will continue to be used as such, and soil testing will be needed in the future. There were no further comments at this time. Mr. Vey stated the usual recreation fee-in-lieu and traffic impact fee will be required for lot 2.

Mr. Mininger made a **MOTION** to grant Preliminary/Final Plan approval with the condition the \$1,850 recreation fee-in-lieu and \$1,500 traffic impact fee are paid at the time of issuance of a building permit for lot 2. Mr.

Courduff seconded the motion. The motion passed unanimously.

### **Other Business:**

**State Police Report.** Cpl. Billger, Patrol Supervisor, stated there is no official report and asked if anything was needed or if there were any questions or comments. Mr. Wolf of Fennel Road stated the one-way signs went and thanked the board. Mr. Wolf stated there is still a problem with cars going the wrong way along with school buses, trucks, and loud pickup trucks that continually run over his wall. Mr. Wolf said there is a small truck sign there and said maybe a bigger sign should be put up. Mr. Wolf said he would really like the road to be shut down as there is no use for that road to be there and the road takes up most of his back yard and his main concern is the trucks and busses. Mrs. Harper said the Ordinance making Fennel Road a one-way road does not prohibit school busses from using the road and busses are permitted. Mr. Wolf said he does not want school busses either and asked what a truck is considered. Mr. Wolf asked if no busses could be added to the ordinance. Mrs. Harper said the board would have to discuss that request.

**St. Luke's RACP Rescope.** Mr. Vey stated St. Luke's is requesting a slight revision, added 5% construction cost, to the previously approved Redevelopment Assistance Capital Project. Mr. Vey stated Milford Township is a pass through for St. Luke's and nothing is being changed.

Mr. Strunk made a **MOTION** to approve the revised Redevelopment Assistance Capital Project for St. Luke's.

The motion was seconded by Mr. Mininger and passed unanimously.

**Ordinance Designating Fennel Road as a One Way Road and Prohibiting Truck Traffic.** Mrs. Harper opened the hearing for proposed Ordinance No. 183, making Fennel Road a one-way road, in northward direction, and prohibiting truck traffic, except for local deliveries. Mrs. Harper stated the hearing has been advertised as required. Mrs. Harper marked the exhibits and asked for public comment, there was none. At this time Mrs. Harper read the proposed ordinance which reads, The municipal road known as Fennel Road shall be designated as a one-way road in the northward direction from Canary Road to Kumry Road as well as prohibited from truck traffic except for local deliveries pursuant to the Pennsylvania Vehicle Code as well as the Pennsylvania Second Class Township Code. The Township will ensure that appropriate signage is posted advising motorists of these regulations. This Ordinance shall take effect in accordance with law after enactment. Mr. Rich Schilling of Scheetz's Church Road asked if Mr. Andersen looked at the road. Mr. Andersen said he did not. Mr. Schilling said typically the engineer looks to make sure the ordinance is in accordance with PennDOT regulations and signs are posted per the Second Class Township Code. Mrs. Harper said the road is a local road. Mr. Schilling said the signs went up immediately. Mrs. Harper said yes, the Board wanted to help to give notice and will be posting permanent signs. Mr. Schilling asked Mr. Winkler if he is familiar with the road and said maybe flashing lights could be installed. Mr. Wolf said you would not see cars going the wrong way. Mr. Schilling said the lights could be temporary. Mrs. Harper asked if there were any further comments. Mr. Mininger stated he would like more discussion. Mr. Courduff said he believed there were thoughts about no trucks. Mrs. Harper said the ordinance states no trucks one-way. Mr. Courduff said, and we are allowing school busses. Mrs. Harper said a discussion should be had with the school before that decision is made. Mr. Mininger said township roads belong to everyone and he would be more amicable to just vacating the roadway. Mr. Courduff asked Mr. Winkler if he agrees. Mr. Winkler said he would agree, and it is difficult to get 2 vehicles through there and one way is probably appropriate. Mr. Wolf said he would like to see the 200-yard road shut down with a berm and signage. Mr. Courduff asked if the one-way is still a problem. Mr. Wolf said cars still have to slow down to turn and are slowing at the last minute and cars come up behind them and it is a close call every time, it's not safe. Mr. Wolf said the other side of the street doesn't tee up and the cars that stop there have a hard move to make up and around his house. Mr. Mininger stated he agrees, if you aren't using GPS you wouldn't know the road was there and it will take

13 seconds more to go to the intersection. Mr. Courduff asked Mrs. Harper to explain the process of vacating a roadway. Mrs. Harper said the property owners usually start the process and if the Board wanted to explore further, they could see about working with the neighbors. Mrs. Harper noted this is not the ordinance that was advertised. Mr. Courduff said it should be taken one step at a time, with the ordinance tonight then look into vacating roadway. Mr. Vey said he would look into it.

Mr. Strunk made a **MOTION** to approve Ordinance No. 183, Ordinance Designating Fennel Road as a one-way road and prohibiting truck traffic. Mr. Courduff seconded the motion. The motion was not unanimous with Mr. Mininger voting nay. The motion passed.

**Bucks County Planning Commission Services Agreement.** Mr. Vey stated Milford Township has utilized the Bucks County Planning Commission Professional Planning Services since day one. The current contract was executed in 1995 and Mr. Vey is seeking approval to execute an updated Planning Service Agreement with a slight increase in rate with termination provisions.

Mr. Courduff made a **MOTION** to approve the Bucks County Planning Commission Professional Services Agreement. Mr. Mininger seconded the motion. The motion passed unanimously.

**Richland Township Comprehensive Plan Map Update.** Mr. Vey reported a request for review and comment has been received from Richland Township who is considering updating their Comprehensive Plan Map. The update includes expansion of the development area in the southern section of the Township. Mr. Vey stated what is proposed to be changed is marked on the map as rural reserve and open space. Mr. Vey stated the open space is owned by Heritage Conservatory and is located on the northwest side of Paletown Road, along with the Rural Reserve. Mr. Vey stated the largest parcel is owned by Ciocca and there has been potential to connect Paletown Road to 309 and if you take the reserve, you get more traffic and it becomes a potential connector. Mr. Vey stated the map does not indicate whether the parcels will be commercial or industrial. Mr. Vey stated a hearing is scheduled for June 12, 2023 and comments are requested in the next 45 days. Mr. Courduff stated it may be beneficial to get together to review the plan in a larger scale as the plan provided is difficult to review.

#### **Correspondence:**

**Quakertown Area Planning Committee Meeting Minutes.** Mr. Vey reported the Quakertown Area Planning Committee Meeting Minutes of February 14, 2023 are available for review. The minutes reference the priorities of the PennDOT Regional Transportation Project which will be discussed at the April 11, 2023 meeting.

**Bucks County Airport Authority Meeting Minutes.** Mr. Mininger reported work is still being performed on the terminal building and should be concluded this month. The ramp parking area is going to be expanded this year and bids will go out following the May meeting.

**Milford Township Water Authority Meeting Minutes.** Mr. Vey reported the Meeting Minutes of February 14, 2023 are available for review. The minutes discuss the construction of the watermain on the Portzer Road and Old Bethlehem Pike roundabout. The insertion valves have been installed and the first water relocation has been completed. Mr. Courduff stated there are four insertion valves, two of which have been installed leaving two more. Mr. Mininger asked if a December reopening is still anticipated. Mr. Vey stated it is.

**Milford Trumbauersville Area Sewer Authority Meeting Minutes, Financial Statement(s), Chapter 94 Report.** Mr. Vey reported the Meeting Minutes of February 20, 2023 note a discussion was had on the mapping for the Act 537 Plan. Drawings for the upgrades to Pump Station #3 have been reviewed by the Board of Supervisors and may come with Allentown Road and Route 663 improvements. The improvements should be done at the same time as the upgrades. Mr. Courduff asked if land is needed for the pump station. Mr. Vey said yes and a new Fire Company sign should also be considered. Mr. Courduff asked how much more land is needed. Mr. Vey stated a review of the plan will be needed and the area is an existing gravel drive. Upon initial discussion it is noted that it is unclear if the area should be paved.

**Request for reduction of fees.** Mr. Vey stated a request for a reduction of fees for Conditional Use has been requested by Michael Orlic for the property located at 2115 Allentown Road. Mr. Orlic has reported a photographer utilized the space for 7 years and has since vacated and a hearing aid company has requested use of the space. The hours are limited and by appointment. Per zoning requirements, a Medical Office use requires Conditional Use

approval. Mr. Orlic respectfully asks the \$1,500 fee be waived and actual costs be paid. Mr. Courduff asked Mrs. Harper if this is an appropriate ask. Mrs. Harper said it is. Mr. Mininger asked if this is a one-time waiver. Mr. Vey stated it is.

Mr. Courduff made a **MOTION** to approve the requested waiver of Conditional Use fees for Michael Orlic for the property located at 2115 Allentown Road. Mr. Strunk seconded the motion. The motion passed unanimously.

### **Reports:**

**Code Enforcement Departmental Report.** Mr. Kravitsky presented the March 2023 Code Enforcement Report. A total of 25 permits were issued in March: 12 residential renovation permits, 5 residential accessory permits, 6 commercial permits, and 2 zoning permits. A total of 8 Use & Occupancy permits were issued and 15 fire inspections were performed.

**Public Works Departmental Report.** Mr. Winkler presented the March 2023 Public Works Departmental Report. Mr. Winkler reported Dave's Services helped remove large dead trees on Possum Hollow Road and while the bridge was closed on Allentown Road, all the dead ash trees along the frontage of Township owned property were removed. The crew has been hauling topsoil, along with Bachman Excavating, from 2100 AM Drive to our storage area on Kumry Road. All the trusses have been set on the new storage building. 41 dead trees in the open space between Lucky Lane and Cedarfield were removed and the ditches on Koons Road and Pumping Station Road were cleaned.

**Awarding of Road Bids.** Mr. Winkler presented the results of the 2023 Road Bids. Mr. Winkler stated a total of 4 Bids were advertised, 1 of which was a bid renewal. **Bid Package 1-** Approximately 15,000 lbs ASTM D 6690 Type II Rubberized Crack Seal installed complete in place as per Penn Dot Pub 408 Section 469; Approximately 3,500 lbs of Hot Pour Mastic, 7,900 SY Ultra Thin Bonded Wearing Course installed complete in place per Penn DOT Pub 408 Section 469. Mr. Winkler stated one bid was received from AMS with a total bid of \$137,185.00. **Bid Package 2-** Equipment Rental, Road Sealer and Oil & Chip, approximately 30 hours, contract renewal 3 of 3, AMS was awarded the bid in 2021. **Bid 1A-** Approximate quantities of road material aggregates – 1,500 tons #4, 600 tons #2A, 800 tons #2B, 200 tons R-4, 200 tons R-5, 600 tons 1-B washed, 600 tons 1-B. Two bids were received, one from Naceville Materials with a total bid of \$53,737 and one from Martin Stone Quarries Inc. with a total bid of \$73,600. **Bid 1B-** Approximate quantities of Warm Mix Asphalt (PG64-22WM4) – 600 tons 25mm 0 < .3, 300 tons 19mm 0 < .3, 1,300 tons 9.5mm 0 < .3. One bid was received from Naceville Materials with a total bid of \$191,090.00. **Bid 3-** Rental of Paving Equipment and laborer(s)-approximately 40 hours. One bid was received from Sacks & Sons Inc. with a total bid of \$62,600.00. Mr. Winkler stated he is seeking approval for Bid 1A-1B, Bid Package 1, Bid Package 2, and Bid 3. Mr. Courduff asked if Bid 1A is the delivered price. Mr. Winkler stated no, it is FOB. Mr. Courduff asked if the price difference is due to travel time. Mr. Winkler stated it is. Mr. Courduff asked Mrs. Harper her opinion on receiving one bid. Mrs. Harper stated the Township could go out to bid again or award the bids received.

Mr. Courduff made a **MOTION** to grant approval of Bid Package 1-Ultra Thin Bonded Wearing Course/Rubberized Crack Seal/Pave Patch, in the amount of \$137,185.00 and Bid Package 2-Equipment Rental renewal to Asphalt Maintenance Solutions. Bid 1A- Road Material with a bid amount of \$53,737 and 1B- Warm Mix Asphalt with a bid amount of \$191,090.00 to Naceville Material and Bid 3-Paving Equipment Rental with Operator, with a bid amount of \$62,600.00 to Sacks & Sons Inc. The motion was seconded by Mr. Mininger and passed unanimously.

**Trumbauersville Fire Company Report.** In March there were 19 emergency calls, one building, 3 vehicle, 1 power line, 2 alarms, 3 EMS, 2 fire police calls and 7 dispatched and cancelled. The Easter Flower Sale will start April 5th from 9:00 a.m.- 9:00 p.m. and Saturday, from 9:00 a.m. until sell out.

**Milford Fire Company Report.** Mr. Sink reported a total of 27 incidents in March. The Deputy truck is in and is scheduled to be lettered. The new Special Service 75 is waiting on chip so it can be released to the dealership and delivered to the Fire Company. The gun raffle is doing good, and the winner will be announced at the carnival. A meeting was had with a representative from the dealer for the air compressor. The electric needs to be set up and the compressor should be in service in July. The grant is in this year for new gear and the thermal imaging cameras from the State Grant are on order. The Fire Company is starting a committee to replace Engine 57. Mr. Courduff asked if the engine would be fully equipped. Mr. Sink stated no, it is just the truck. Sellersville recently purchased a new engine for \$875,000 then had it outfitted. The Fire Company is looking into needed repairs for the old station, Station

75 & Station 57 along with the financials for the repairs. The County Fire Companies are trying to organize a committee/team to have a better representation for working with the County Commissioners.

**Manager Report.**

**1975 Trumbauersville Road Lease Agreement.** Mr. Vey reported Mr. Dan Gallagher, Maura James Woodworking, is looking to rent the rear portion of the former Wonsidler Tractor Building, 3,000 square feet for woodworking. Mr. Gallagher would like to install a small spray both. The proposed lease lists the conditions of the Zoning Hearing Board Decision. The rent amount is \$21,600 per year, \$1800 per month, with an escalator tied to the CPI index with a maximum of 5% increase. The lease is a 10-year initial lease which can be extended in 5-year increments along with termination provision. There is the option for in-kind contribution for base rent. The Zoning Hearing Board approved the extension on the Esten Lumber side of the building to install a pad for dust collection materials, along with the installation of a bathroom. Mr. Courduff asked if any signage was proposed at this time. Mr. Vey stated not at this time and the business is not open to the public. Mr. Strunk asked if the bathroom would tie into the existing system. Mr. Vey stated yes, and it will count towards capital improvement. Mr. Gallagher will have to provide costs and it may need to go to competitive bidding.

Mr. Strunk made a **MOTION** to approve the lease agreement for 1975 Trumbauersville Road, TMP 23-020-058-001 for Maura James Woodworking. Mr. Mininger seconded the motion. The motion passed unanimously.

**Splash Pad Update.** Mr. Vey stated he is hoping to get the construction sequence together. Plans are being revised per the DCNR review letter dated March 27, 2023 and will be resubmitted to DCNR for review.

**Escrow Release(s):**

Mr. Strunk made a **MOTION** to approve the Final Escrow Release in the amount of \$414.91 for Boulderwoods Campground for the property located at 1050 Camp Skymount Road, TMP 23-020-044. The motion was seconded by Mr. Mininger and passed unanimously.

**Public Comment:**

There was no public comment.

**Adjournment:**

With there being no further business Mr. Strunk made a **MOTION** to adjourn the Board of Supervisors meeting of April 4, 2023 at 9:00 p.m. The motion was seconded by Mr. Courduff and passed unanimously.

**Attendance:** Supervisors present: Charles Strunk, Chair; Thomas Courduff, Vice Chair; and John Mininger, Member. Staff present: Jeff Vey, Manager; Devan Ambron, Assistant Manager/Secretary/Treasurer; Peter Andersen, Penonni Engineering; Kate Harper, Timoney Knox; and Gregg Kravitsky, Zoning Officer.

**Call to Order:** Chairman Strunk called the May 2, 2023, meeting of the Milford Township Board of Supervisors to order at 7:00 p.m.

**Public Comment on Non-Agenda Items:** There was no public comment at this time.

**Approval of Minutes:** Mr. Strunk made a **MOTION** to approve the April 4, 2023 Meeting Minutes as presented. The motion was seconded by Mr. Mininger and passed unanimously.

**Financial Report:** Having reviewed the current bills list, Mr. Strunk made a **MOTION** to approve the invoices for payment, along with the Treasurer's Report of March 31, 2023. Mr. Mininger seconded the motion. The motion passed unanimously.

**Announcements:** Mr. Kravitsky reported the Milford Township Zoning Hearing Board will meet Tuesday, May 9, 2023, to hear the application of Kevin Willauer for a Special Exception for an A.7. Agricultural Retail use along with a variance from Section(s) 404A.7b; 404A.7.c; 404A.7.e, 503, 526, and 623, for the property located at 2000 John Fries Highway, TMP 23-010-090.

**Conditional Use:**

**Michael Orlic, Suburban Hearing Aid, 2115 Allentown Road, TMP 23-011-024 for a proposed 404.D2-Medical Office Use located in the VC-2 Zoning District.** Mrs. Harper opened the Conditional Use Hearing for the application of Mr. Michael Orlic at 7:04 p.m., the exhibits were marked. Mr. Orlic presented a summary of the proposal. Mr. Orlic stated the previous tenant, a photographer who leased Store #3 for seven years, has recently moved out leaving a vacant store. Mr. Orlic stated an ad was run in the paper for 3 months and he only received 3 inquiries. Mr. Orlic said he wanted to keep the use simple. The prospective tenant is Suburban Hearing Aid. The owner, Steven Grant travels to 4 different offices. He currently has an office in Pennsburg where the owner of the building is expanding and terminated the lease. Staff includes Mr. Grant and a receptionist. There is limited space needed, approximately 1/3 of the floor space. Mr. Grant is the sole proprietor and will spend approximately 4 hours a few days a week seeing 4 patients. Mr. Orlic stated there plenty of parking on-site, close to 30 spaces or more. Mrs. Harper asked if there were any questions or comments from the Board at this time. Mr. Courduff asked if there are any proposed changes to the signage at the center. Mr. Orlic said there is presently a sign for the photographer that will be changed to Suburban Hearing Aid. Mr. Courduff asked if the sign will be the same size. Mr. Orlic stated it will. Mr. Strunk stated he visits Toms Help Desk in the center and has never had an issue with parking. Mrs. Harper asked if there was any public comment, hearing none the hearing was closed at 7:09 p.m.

Mr. Mininger made a **MOTION** to approve the Conditional Use Application of Mr. Michael Orlic for a D2. Medical/Dental Office Use for the property located at 2115 Allentown Road, TMP 23-011-024. The motion was seconded by Courduff and passed unanimously.

**Subdivision/Land Development:**

The Moyer Milford Square Preliminary Plan of Subdivision, 2060 Allentown Road, TMP 23-010-081, 3-Lot subdivision in the VC-2 Zoning District was tabled.

**Correspondence:**

**Haycock Township Fire Police Assistance Request.** Mr. Vey stated a request has been received from Haycock Township on behalf of the Haycock Township Fire Company for Fire Police assistance at the Steelman Triathlon, being held on Sunday, August 6, 2023, at Nockamixon State Park, and the Independence Triathlon, being held on Sunday, May 21, 2023, at Nockamixon State Park.

Mr. Strunk made a **MOTION** to approve the request from Haycock Township for Fire Police assistance for the Steelman Triathlon, being held on Sunday, August 6, 2023 at Nockamixon State Park and the Independence Triathlon, being held on Sunday, May 21, 2023, at Nockamixon State Park. Mr. Mininger seconded the motion. The motion passed unanimously.

**St. Johns' Lutheran Church Fire Police Assistance Request.** Mr. Vey stated a request has been received from Saint John's Lutheran Church for Fire Police Assistance for the annual Strawberry Festival being held on Saturday, June 17, 2024.

Mr. Strunk made a **MOTION** to approve the request from Saint John's Lutheran Church for Fire Police assistance for the annual Strawberry Festival to be held on Saturday, June 17, 2024. Mr. Mininger seconded the motion. The motion passed unanimously.

**Quakertown Area Planning Committee Meeting Minutes.** Mr. Vey reported the Quakertown Area Planning Committee Meeting Minutes of March 14, 2023 reflect the discussion of the annual review of the PennDOT Regional Transportation Projects Priorities List. Mr. Vey stated the Route 663 and Allentown Road intersection had not been moving forward for some time and there has since been communication back and forth and it is currently in the right-of-way/appraisal department. Mr. Vey stated the principal of Dewberry has been replaced and they are amenable to moving the project forward.

**Bucks County Airport Authority Meeting Minutes.** Mr. Mininger stated the terminal building is coming along and is looking good. The siding has been installed on the runway side and it is expected to be complete by the end of May. Mr. Mininger stated there are currently 25 participants registered for the Young Eagles.

**Milford Township Water Authority Meeting Minutes.** Mr. Strunk reported the Milford Township Water Authority Meeting Minutes of March 14, 2023 are available for review.

**Milford Trumbauersville Area Sewer Authority Meeting Minutes.** Mr. Strunk reported the Milford Trumbauersville Area Sewer Authority Meeting Minutes of March 20, 2023 are available for review.

#### **Reports:**

**Code Enforcement Departmental Report.** Mr. Kravitsky presented the April 2023 Code Enforcement Report. A total of 21 permits were issued in April: 8 residential renovation permits, 6 residential accessory permits, 3 commercial permits, and 4 zoning permits. A total of 10 Use & Occupancy permits were issued and 11 fire inspections were performed.

**Public Works Departmental Report, Concrete Crushing Bid Award.** Mr. Winkler presented the Public Works Departmental Report for April 2023. Mr. Winkler stated the salt spreaders and snowplows were removed and put in storage until next season. All the playgrounds were filled with certified playground mulch along with the mulching of all the flower beds at the parks. Asphalt Maintenance Solutions completed crack sealing throughout the Township. The crew was out for seven days skin patching throughout the Township. The roof is complete on the public works storage building and the crew is now working on closing in the sides.

Mr. Winkler stated sealed proposals were received for crushing concrete with a portable impact crusher with screen and an excavator with a pulverizer. Mr. Winkler stated there is a large amount of concrete at Heffentrager's Hill to be crushed into 2A to later be used for road projects. Mr. Winkler said one bid was received from Nyce Construction Services, Inc., with a total bid price of \$19,570.

Mr. Strunk made a **MOTION** to award the Concrete Crushing Bid to Nyce Construction Services, Inc. with a bid price of \$19,570. The motion was seconded by Mr. Mininger and passed unanimously.

**Trumbauersville Fire Company Report.** Mr. Justin Mallery of Trumbauersville Fire Company No. 1 presented the March 2023 report. The Fire Company responded to 27 calls in the month of March. The tanker chassis is complete and at the manufacturer. There was a 3 month delay due to parts not being released. The Command vehicle is in and should be delivered in the next month or so.

**Milford Fire Company Report.** Mr. Joe Sink presented the April 2023 Milford Township Volunteer Fire Company #1 report. Mr. Sink stated there was a total of 32 incidents in April. The Special Service 75 is waiting on a chip so it can be released to the dealership then delivered to the Fire Company. The tickets for the gun raffle are close to being sold out. The winner will be announced the weekend before the carnival. Last years AFG 2021 Air Compressor grant is being finalized and a grant will be submitted this year for new gear. The thermal imaging cameras from the State Grant have been ordered. The county fire companies are trying to organize a committee to have a better representation for working with the County Commissioners.

**Manager Report.** Mr. Vey stated a request has been received from Peak Performance Golf Academy for the use of Molasses Creek Park. Mr. Rogerio of Peak Performance Golf Academy requests use of field space and rental of the small pavilion for a summer camp June 19<sup>th</sup>-22<sup>nd</sup> and July 10<sup>th</sup>-13<sup>th</sup> from 8:00 a.m. to 3:45 p.m. Mr. Rogerio stated he has done training at Fox Hollow and has his child abuse clearance, criminal record clearance and holds a current CPR and first aid certification through the Red Cross. Mr. Vey stated the request was run by the Park Board and they are okay with the request and Milford Township is to be named as insured. Mr. Strunk asked if there were any comments. Mr. Vey asked what type of equipment would be used. Mr. Rogerio said he will be using Astro turf and foam balls. Mr. Strunk stated this sounds like a good program.

Mr. Strunk made a **MOTION** to approve the Peak Performance Golf Academy request for the use of Molasses Creek Park June 19, 2023 through June 22, 2023 and July 10, 2023 through July 13, 2023. The motion was seconded by Mr. Mininger and passed unanimously.

Mr. Vey stated a request has been received from Quakertown Community School District requesting the fee for the use of the large pavilion be waived for the High School Volleyball picnic. The picnic is for the 21 players and their families and coaches. A certificate of insurance has been received.

Mr. Strunk made a **MOTION** to approve waving the fee for the rental of the large pavilion request from Quakertown Community School District for the High School Volleyball picnic. Mr. Courduff seconded the motion. The motion passed unanimously.

Mr. Strunk asked for Public Comment. Mr. Bob Flack of Mill Hill Road thanked Mr. Winkler and the crew for oil and chipping. Mr. Flack stated there are still some tractor trailers using the road. Mr. Flack said at the corner of Mill Hill Road and Old Bethlehem Pike, coming onto Mill Hill, there are sharp rocks sticking up. Linear signs were installed but didn't last and it would be nice to have someone look at it to see what can be done. Mr. Flack said sometime back there was a purchase of land from LifeQuest and he hasn't seen or heard any activity and asked what is going on. Mr. Vey asked if he is referring to the Brown property behind LifeQuest. Mr. Flack stated yes. Mr. Vey said the owner was planning a wellness center and memory care and nothing is being done and he is unsure if it will.

**Adjournment:**

With there being no further business Mr. Strunk made a **MOTION** to adjourn the Board of Supervisors meeting of May 2, 2023 at 7:27 p.m. The motion was seconded by Mr. Mininger and passed unanimously.



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**Attendance:** Supervisors present: Charles Strunk, Chair; Thomas Courduff, Vice Chair; and John Mininger, Member. Staff present: Jeff Vey, Manager; Devan Ambron, Assistant Manager/Secretary/Treasurer; Peter Andersen, Penonni Engineering; and Kate Harper, Timoney Knox

**Call to Order:** Chairman Strunk called the June 6, 2023, meeting of the Milford Township Board of Supervisors to order at 7:00 p.m.

**Approval of Minutes:** Mr. Mininger made a **MOTION** to approve the May 2, 2023 Meeting Minutes as presented. The motion was seconded by Mr. Courduff and passed unanimously.

**Financial Report:** Having reviewed the current bills list, Mr. Strunk made a **MOTION** to approve the invoices for payment, along with the Treasurer's Report of April 30, 2023. Mr. Courduff seconded the motion. The motion passed unanimously.

**Public Comment on Non-Agenda Items:** Mr. Chris Collins of Mill Hill Road asked if the roundabout is still on schedule for completion, if data from the traffic speed summary from last month was available, and how many citations have been issued since January. Mr. Vey said regarding the roundabout, a guarantee cannot be given but construction does seem to be on track, and the contract contains liquidated damages should the project go over the contracted time period. Mr. Harry Koenig stated as of today construction is on track for a November opening. The water line, storm sewer, and walking path are in place. There is clean out happening now for PPL to install new lines. Once PPL is finished the curbing and subbase will be installed. Mr. Vey stated a traffic speed summary was done in February and re-ran a month ago and the data will be pulled for review. Mr. Vey advised Mr. Collins to check with staff during normal business hours. Mr. Vey stated it is unknown if citations have been issued and staff will check with the State Police.

Mr. Robert McClain of Angstadt Road stated he has lived in Milford Township for 17 years and loves the land preservation by the township and he would love to keep it the way it is. Mr. McClain said he also wanted to thank the road crew, and he appreciates the attention to plowing, mowing, and chipping. The crew does a great job. Mr. McClain said he attends the Bucks County Commissioners meeting and was very happy to see the milage has stayed static in Milford Township. Mr. Courduff said that has a lot to do what was mentioned, the outstanding public works crew. Mr. McClain said he is painfully aware of the ash tree devastation and stated there is a large limb from a dead ash tree on the corner of Erdman and Angstadt Road. Mr. Courduff asked if the tree was located in the right-of-way. Mr. McClain said the limbs hang in the roadway, and he would hate to see a car get damaged. Mr. Courduff asked Mr. Winkler to look at the tree in question.

**Announcements:** Mr. Vey reported the Milford Township Zoning Hearing Board will meet Monday, June 12, 2023, to hear the application of Matthew and Tracee Myers for a Variance from Section(s) 404.B.b and 404.H2.c.d. to allow a maximum impervious surface coverage of 34% where 15% is permitted, on a nonconforming lot in which 33.4% impervious surface is already in use, to permit the building of a deck that would encroach upon the rear yard setback where 50 feet is required, for the property located at 1611 Tamanend Drive. The application of Adam Klein and Stephanie Zimmerman-Schmidt, Morgan Creek Farms, for a Variance, Special Exception, and/or Interpretation/Appeal from Section(s) 403.E1, E10, and E12 to permit a retail shop, indoor/outdoor entertainment to supplement a permitted use under Section A7-Agricultural Retail, for the property located at 2565 Tollgate Road. Mr. Courduff asked if a portion of the property is in Richland Township. Mr. Vey said the parcel is right on the line, and the same owner has 22-acres in Richland Township, which is a different parcel.

**Conditional Use: LifeQuest/MVP663I, LLC., Milford Village Section One, Route 663, TMP No. 23-010-175-001.** Mrs. Harper opened the hearing at 7:11 p.m. Mr. Harper stated the applicant has submitted a Petition for Deletion of Condition 6(b), construction of a roundabout at Abby Lane and Mill Hill Road, found in the Decision. Mrs. Harper noted the hearing has been advertised as required, and recognized the attorney for the applicant, Mr. John Snyder. Mrs. Harper noted the Board does not have to make a decision tonight as they have 45 days to make a decision. Mrs. Harper said the only thing that's an issue tonight is 6(b), to which Mr. Snyder agreed. Mr. Snyder said there was an oversight of reviewing the proposed conditions and condition 6(b) which requests a roundabout at the corner of Mill Hill Road and Abby Lane was missed. Mr. Snyder said a roundabout wasn't proposed and there wasn't anything in the traffic reports that discuss that option. Mr. Snyder reported the traffic engineer for the applicant called and said he

would not be able to attend this meeting as he is very sick. Mr. Snyder presented an email from the applicants traffic engineer verifying what the traffic consequences would be with respect to the condition. Mr. Snyder said it is his understanding that there were concerns of traffic using Abby Lane to Mill Hill to go north as in essence a cut through. When they saw the traffic circle being proposed as a deterrent, the traffic engineer analyzed the roundabout as a deterrent and concluded that it's the opposite of a deterrent because it makes it easier to get onto Mill Hill Road. Mr. Snyder read the two parts of the e-mail into the record. Mr. Snyder said condition 6(b) reads: Abby Lane improvements shall include a roundabout at Abby Lane's intersection with Mill Hill Road to deter through traffic. It needs to be looked at whether a roundabout would be a better way to deter through traffic than the currently proposed stop sign on Abby to enter Mill Hill Road. Mr. Snyder said he raised this because his sense is that roundabouts assist traffic on a minor street wanting to make a left onto the major street. The traffic only needs a break in the traffic coming from the left to get into the circle and obtain a right of way over traffic coming from the right on the main street. At a stop sign intersection, the minor street traffic needs a concurrent break in traffic coming from the left and the right on the main street. So, the question is, what through traffic the board is trying to deter. If it is traffic using Abby Lane to go north on Mill Hill Road, then a circle would seem to be counterproductive to their intent of condition 6(b) to which the traffic engineer agreed with Mr. Snyder's logic, that the construction of a roundabout would not deter traffic from Abby Lane to travel north on Mill Hill Road.

The email from the traffic engineer further states that Mr. Snyder is correct in his statement that the stop sign on Abby Lane requires a driver to establish a gap in both directions of the Mill Hill Road traffic stream to complete their movement to the north and a stop sign would likely have greater delay for the shortcut traffic. Mr. Snyder said the condition was missed as it wasn't part of either of the traffic studies and it wasn't discussed in the discussion part of the opinion that they got at the April hearing. Mr. Snyder stated Mr. Marty Smith is also in attendance to testify or to explain the impact of a traffic circle. Mr. Smith stated Abby Lane intersects with Mill Hill Road at approximately location where the future driveway for the entrance to Section 2 is planned. Installing a roundabout in this location would impact Section 1 and Section 2 with the impact to Section 2 being more significant due to the shape of the lot and the layout of the driveway. The Congregate Care has also been looked at. On that section there are driveways and internal parking areas that have been laid out with exits on to Mill Hill Road at just one location so driveways can be minimized on Mill Hill. Implementation of a roundabout at that location would force additional driveways onto Mill Hill due to the space a roundabout would require. As everyone is aware, Mill Hill Road has been constructed, storm drainage designed, water installed, utilities installed, infrastructure has been installed, and sidewalks for the current layout, which do not accommodate a roundabout. Mr. Smith presented a sketch showing the impact a roundabout would have on Section 2. Mr. Smith stated the circle shown on the plan is similar in size to the roundabout that has been designed on Abby Lane within Section 1, which was part of the previous hearing. Mr. Courduff said he has a question for Mr. Snyder. He is looking at the petition and it says, during the traffic considerations instead of the consideration of the conditional use for Section 1 West, there is no consideration given to a roundabout at Abby Lane and Mill Hill Road. Mr. Courduff asked Mr. Snyder if he has the decision. Mr. Courduff said the bottom of page seven says the following amendments and updates to the traffic improvement triggers, approved with earlier revised Unified Master Plans, are based on the updated transportation impact study prepared by Benchmark Engineering dated January 23, 2023, and work remaining to be performed. Mr. Courduff asked Mr. Snyder to read the remaining section. Mr. Snyder said install a portion of Abby Lane and repave Mill Hill Court. Abby Lane is a road proposed to be constructed from Hill Road relocated to a proposed roundabout within Section 1. Mr. Snyder said that is the exact roundabout that is shown in dark on the plan. Not the roundabout being discussed this evening and they have no problem constructing that roundabout. The roundabout being discussed this evening was not discussed in the decision nor discussed with the traffic engineer. Mr. Courduff said Mr. Snyder and Mrs. Harper had a discussion prior to this hearing and it was never discussed. Mr. Snyder said no, it was not discussed, and he is here because a mistake was made in missing the import of 6(b). Mr. Courduff said he does not feel the Board made a mistake and he thinks the roundabout was put in the right place. Mr. Snyder asked what the purpose of the roundabout is. Mr. Courduff said expert testimony was given from the applicants traffic engineer stating the value of the roundabout. Mr. Courduff said talks about pedestrian traffic at the intersection of Mill Hill Road and Abby Lane was not discussed. Mr. Snyder said an additional roundabout is being suggested. The roundabout shown on the plan is part of the order and is being built as part of the improvements. Mr. Courduff said we are talking about a roundabout that's taking care of Mill Hill Road, Mill Hill Road extension and Abby Lane and you are talking about a roundabout that's only going to serve a purpose for retail and the apartment complex. Mr. Snyder said the condition was missed and was not discussed with Mrs. Harper prior to the meeting due to getting it shortly before the meeting, like the day of. Mr. Snyder said he is sorry it was missed but the

way to resolve the issue is what they did, file a petition. Mr. Snyder stated a roundabout does not make sense and has tremendous impact and is counterproductive to what condition 6(b) says it is intended for. Mr. Courduff said to Mr. Snyder he is a representative of the community that is going through over a \$2 million roundabout to get rid of a four-way stop sign at Portzer Road and Old Bethlehem Pike and he will have a hard time convincing him that a roundabout at that location isn't beneficial to this community and to the Mill Hill residents. Mr. Snyder said to clarify, they have agreed to the condition of a roundabout at LifeQuest and Mill Hill Road, that was in the decision, and the internal roundabout, also in the decision. And now the township is asking for a third roundabout. So, the question is whether you have a third, which seems to be counterproductive as traffic circles help facilitate traffic movement. Mr. Smith noted the decision itself does not speak to a roundabout at Abby Lane and Mill Hill Road. It's been added into this separate shorter order. Mr. Courduff said one of the things not discussed is pedestrian traffic. There are all kinds of trails and such going through the project and crossing there with the four-way traffic signs as opposed to a roundabout has not been discussed. With 262 apartments being built how do people get across Mill Hill Road to the trail. Mr. Smith said there are sidewalks on both sides of the street, and throughout the entire development, and pedestrian studies will be done at the appropriate time for land development. Mr. Courduff said so it is being stated ahead of time that the four-way traffic and four-way stop sign intersection is better than the roundabout for pedestrians. Mr. Smith said there are fewer points that one can get hit since there is only the four points you must cross instead of splitting it up and with the islands and eight lanes you have to cross in a roundabout and further stated they are here tonight to discuss condition 6(b). Mr. Roger Hiser stated since 2005 there have been different Master Plan and as they went along it was anticipated that the parallel road to Route 663 would be built. The intersection that is being discussed, Mill Hill Road is basically completed, about \$10 Million with all the infrastructure in place. Mr. Hiser said it is his fault, he didn't understand there was third roundabout because it hadn't been discussed by the township's traffic engineer or their engineer. Mr. Hiser said somehow the third roundabout got put into place. To build the roundabout, you would have to tear up a very good road which was built to township specifications. Mr. Hiser said the cost would be about \$800,000 and he would rather put in more trees. Mr. Hiser said he is appealing to the good nature and common sense of the community. Mrs. Harper asked if the Board had any further comments. Hearing none, Mrs. Harper asked if there was any public comment. Mr. Jim Swartley said he may be misunderstanding what a roundabout is or a circle but when he drives in it it's like a raceway and he would much rather cross the street at a stop sign. Mr. Chris Collins said if the intent was to deter traffic onto Mill Hill Road, then you would agree that a traffic circle is probably going to have the opposite effect. If the intent was to deter traffic up to Mill Hill Road, he would like to know what could be done in addition to deter it further. There were no further comments at this time. Mrs. Harper closed the hearing at 7:55 p.m. Mrs. Harper stated the Board has 45 days to deliberate and a decision will likely be made at the next meeting which is July 5, 2023. Mr. Snyder said the request is the deletion of condition 6(b).

**Faith Christian Academy, 2255 Allentown Road, TMP 23-010-112-001.** Mrs. Harper opened the hearing at 7:56 p.m. Mr. Scott Mease was in attendance to present the application of Faith Christian's Community Day Fireworks request. Mr. Mease stated Faith Christian Academy is hosting a soccer game by Torch Soccer on Saturday, June 24, 2023, and would like to have fireworks show following the event. Mr. Mease stated the players are the highest level of amateur before going pro. Mr. Mease stated Faith Christian is prepared to hand deliver or email all neighbors within a one-half mile radius of the school to give them notice of the upcoming fireworks display. Mr. Mease said the Milford Township Fire Department will be onsite with a field truck and a fire engine in case they are needed. Mr. Courduff stated notification to the neighbors is very important as there are horses across the street from the school and there were previous complaints with the kids and the horses. Mr. Mininger agreed, the neighbors must be notified of the event. Mrs. Harper asked for public comment. Mr. James Brown of Kumry Road asked why fireworks are needed at a soccer game. Mr. Mease stated it is due to the type of sporting event that it is, this is the highest level. Mr. Robert McLain stated he is thrilled that Faith Christian has taken over the vacated school and he appreciates them in this community. Mr. Courduff said he has one question in regard the waiver or reduction in fees request. Is the applicant to pay the costs, advertising and attorney fees and anything left over to be returned to them? Mr. Vey stated we have done that in the past. Mrs. Harper closed the hearing at 8:04 p.m.

Mr. Courduff made a **MOTION** to approve the Faith Christian Academy Conditional Use application, to hold a Community Day/Fireworks event along with approval of a reduction of fees to actual cost. The motion was seconded by Mr. Mininger and passed unanimously.

### **Subdivision/Land Development:**

The Moyer Milford Square Preliminary Plan of Subdivision, 2060 Allentown Road, TMP 23-010-081, 3-Lot subdivision in the VC-2 Zoning District was tabled.

**Swartley Subdivision, Revised Preliminary Plan, for the property located at 1450 Allentown Road, TMP No. 23-021-050.** Mr. Robert Miller of Horizon Engineering presented the plan on behalf of the applicant. The applicant proposes to subdivide the existing lot into 3 lots. Each lot will be served by a well and public sewer with a gravity line, and a forced main. A small raingarden is proposed on each lot with open space areas throughout and in the rear of lot 3. Mrs. Harper asked if the applicant is seeking waivers. Mr. Miller stated yes. Mr. Courduff said the requested waiver from Section 514.f. Lot Depth to Width Ratio is significant and asked Mr. Andersen if he finds the waiver request to be acceptable and if we are setting precedence by granting the waiver. Mr. Andersen said the parent lot is oddly shaped and if you want lots to be consistent in size and shape then a waiver should not be granted. If there are oddly shaped lots than a waiver is acceptable, and he finds this request to be acceptable. Mr. Andersen said he does not think it is the intention for the township to maintain the open space. Mr. Courduff asked Mr. Koenig if he reviewed the force main. Mr. Koenig stated he did, and it should be okay. Mr. Courduff asked if the riparian corridor were waters of the Commonwealth. Mrs. Harper asked if the plan meets zoning if it has a riparian corridor, there was no comment from the engineer. Mrs. Harper stated the requested waivers are usual for Allentown Road and this is a relatively small subdivision. Mrs. Harper asked if the plan shows deed restriction for open space. Mr. Courduff asked what the applicant's intention of the open space on lot 3 was. Mr. Swartley said he is looking to keep that. He may want to build a pole barn or use for gardening, horses, or a place to ride 4-wheelers. Mr. Swartley further stated he is looking to subdivide the property for each of his kids. Rather than offering the open space to the township he will deed restrict to allow only accessory structures and nothing else. It was noted that the zoning ordinance prohibits structures in the open space. Mr. Courduff said there have been stormwater issues around Horizon Sign and asked if they are proposing a raingarden or detention basin. Mr. Miller stated the open space on lot 3 consists of 4 acres. Mr. Courduff asked Mr. Winkler if he would agree that it should part of our open space. Mr. Winkler stated yes, and asked how close the trees are as he has run into a problem with open space that cannot be accessed. Mr. Miller stated it is 60' on one side and 100' on the other. Mrs. Harper asked if the applicant is not dedicating the open space is the board comfortable deed restricting with the owner taking care of. Mr. Courduff said there have been significant stormwater issues and this property is contagious with township owned open space. Mr. Courduff said we made Horizon Signs jump through hoops regarding stormwater issues. Mr. Miller noted the Pennoni review letter dated May 23, 2023, reflects the stormwater was reviewed and passes. Mrs. Harper said we will see if we can work out the issue between now and next month. The township would like to own the open space that runs contiguous to the township open space. Mr. Swartley said he purchased this property for his family and asked how the township can just take it. Mrs. Harper said the township has standards for every subdivision and the zoning ordinance requires a certain amount of open space. In most cases the open space is dedicated to the township. Mr. Swartley said this is a small subdivision where his family intends to live and there has to be a difference between a 50-acre, 15-lot development and his proposal. Mrs. Harper said open space is required with anything proposing more than 2 lots and lot 3 is the concern. Mr. Vey stated Section 534.c. of the Zoning Ordinance states the township may require that a conservation easement be offered. There are wetlands present in one area and the other area is an agricultural field with a hedgerow and lot 3 is not resourced protected. Mrs. Harper said the Zoning Ordinance allows either method. She will draft a Resolution to see if found acceptable at the next meeting. Mr. Swartley stated in speaking with the owner of the stainless-steel business he said the bigger problem is when there is overflow from the inward side of town, the stormwater kicks back to Yankee Road. Mr. Miller stated a stormwater plan for the sight has been submitted and it is taking care of what is to be constructed and an NPDES permit will be required, which will be obtained. Mr. Mininger asked Mr. Swartley if he intends to put any structures on the parcel under discussion. Mr. Swartley said no, he has no desire to cut down trees or put buildings on the open space. Mr. Miller stated the proposed bioretention basin is 120' from one side to the other and 60' wide. Lot 2 has roughly the same size basin. There are no wetlands present on lot 3. There stream will have a 24" pipe which will require an NPDES permit. Mrs. Harper stated the basins should help with stormwater. Mr. Mininger asked Mr. Winkler if the township would need access through the parcel to get to the open space. Mr. Winkler said there is a small, shared driveway and noted if there are 2 houses, if one car comes out and car comes in at the same time, the car will have to sit and wait on Allentown Road and the driveway should be wider out at the road. Mr. Miller stated the plan is mislabeled and will be revised to show the driveway is 20'. There was no further discussion at this time.

**Trumbauer Motor Sports, Sketch Plan, 2110 Milford Square Pike, TMP 23-010-096, 23-011-002, 23-011-003.**

Mr. Bob Irick of Irick, Eberhardt & Mientus was in attendance to present the proposal on behalf of the applicant, John Trumabuer. Mr. Irick gave a brief overview of the proposal. The 3.3 acre tract consists of a total of 20,330 square feet of existing structures, some will be removed, including the silo portions. Reconstruction will consist of roughly 24,000 square feet. The fully developed site will total 82,950 (57.7%) square feet of impervious surface. Stormwater management is proposed. Of the 20,000 square feet of additional coverage, the showroom is 5,200 square feet, workshop is 1,846 square feet, and the warehouse is 24,348 square feet. The property was subject to conditions as part of a Conditional Use Hearing in 2006. Mr. Irick stated significant parking is required. There are 10 employees, and 105 spaces are required and 85 would be installed. There are provisions that allow for a reduction in parking. Mr. Irick stated the Planning Commission has recommended approval for the plan to move forward. Mr. Irick stated the parcel sits in two zoning districts, the VC-2 and PC districts. The VC-2 does not permit the uses needed for the proposal but does permit retail. The showroom is retail with accessory for RV vehicles. Mr. Irick said a portion of the building can be specified for retail and when it was zoned this way it made sense, there were separate parcels, now they exist under a common deed. The easiest way would not be a rezone, it would be a designation of retail within the building. Mrs. Harper said the three parcels could be merged to have one tax map parcel number. Mr. Irick said a reverse subdivision would need to be done and this can be addressed at Land Development. Mrs. Harper asked if the property is being used as approved by the Conditional Use. Mr. Irick stated the applicant would like to do a face lift on the Mill, other than that it is staying the same. Mr. Andersen stated some of the things being proposed are contrary to the approval. The parking in the front is excluded in the Conditional Use. Mr. Courduff asked if there are any concerns with truck turning movements. Mr. Irick said an analysis will be done. Mr. Courduff asked what the deliveries are like to the site. Mr. Trumbauer stated it is unknown with the supply chain but usually there are a couple tractor trailers a week. There were no further comments at this time.

**Other Business:**

Mr. Vey presented a Sewage Facility Planning Module for 1415 Kumry Road, TMP 23-001-136. The applicant proposes to convert an existing outbuilding into an accessory apartment. The property is served by an on-lot septic system.

Mr. Mininger made a **MOTION** to approve **Resolution No. 2023-11**, Sewage Facility Planning Module for 1415 Kumry Road, TMP 23-001-136. Mr. Courduff seconded the motion. The motion passed unanimously.

Sewage Facility Planning Module for James Rotenberger, 2330 Milford Square Pike, TMP No. 23-010-172. The applicant is proposing to subdivide the existing parcel into 3 lots. The two new lots will be served by public water and sewer.

Mr. Mininger made a **MOTION** to approve **Resolution No. 2023-12**, Sewage Facility Planning Module for 2330 Milford Square Pike, TMP 23-010-172. Mr. Courduff seconded the motion. The motion passed unanimously.

Sewage Facility Planning Module for Ralph Moyer, 2060 Allentown Road, TMP No. 23-010-081. The applicant proposes to subdivide the existing parcel into 3 lots. Narrative states lots 2 and 3 will be served by on-lot wells and public sewer.

Mr. Mininger made a **MOTION** to approve **Resolution No. 2023-13**, Sewage Facility Planning Module for 2060 Allentown Road, TMP 23-010-081. Mr. Courduff seconded the motion. The motion passed unanimously.

Sewage Facility Planning Module for James Swartley, 1450 Allentown Road, TMP No. 23-021-050. The applicant proposes to subdivide the existing parcel into 3 lots. Lot 2 and 3 will be served by on-lot wells and public sewer.

Mr. Mininger made a **MOTION** to approve **Resolution No. 2023-14**, Sewage Facility Planning Module for 1450 Allentown Road, TMP 23-21-050. Mr. Courduff seconded the motion. The motion passed unanimously.

Sewage Facility Planning Module for Quaker Pointe Hotel, John Fries Highway, TMP No. 23-010-021-001. The applicant proposes to construct a commercial 3-story, 77 room hotel. The parcel is served by public water and sewer.

Mr. Mininger made a **MOTION** to approve **Resolution No. 2023-15**, Sewage Facility Planning Module for John Fries Highway, TMP No. 23-010-021-001. Mr. Courduff seconded the motion. The motion passed unanimously.

**Amendment to Sterling Act.** An amendment to the Sterling Act to require that up to one percent (1%) of earned income by non-residents to the city of Philadelphia and collected under the requirements of the Philadelphia wage tax be remitted to the municipality in which the taxpayer resides.

Mr. Courduff made a **MOTION** to approve **Resolution No. 2023-16**, an Amendment to the Sterling Act. The motion was seconded by Mr. Mininger and passed unanimously.

**NFI, Quakertown Logistics, 1 Interchange Way, TMP 23-010-023.** Bond Request. Mr. Andersen stated he sees no problem with the request. The applicant has a few trees to plant and the maintenance period should not start until this is done. An LOC is in place and the applicant would like to close the LOC and post a bond in its place. Mrs. Harper asked if the Board is okay with a bond for maintenance and stated the problem with a bond is it is impossible to get paid. Mr. Andersen stated the part he is concerned about is the stormwater management, trees, and lighting. The parking lot has been built correctly and it is a private parking lot. Mr. Courduff asked how much the bond would cover. Mr. Andersen said 15% of \$2 million. Mr. Andersen said maybe by next month they will be ready and it should be checked to ensure all items have been received prior to the release.

**Foulkes Mill Road Right-of-Way.** Mr. Vey stated the township has been working with the homeowner on Foulkes Mill Road for a temporary construction easement and right-of-way. A resolution has been prepared that states if an agreement is not reached an eminent domain will be sought.

Mr. Courduff made a **MOTION** to approve **Resolution 2023-17**, Authorizing acquisition of certain land temporarily, and land permanently, along the right-of-way of Foulkes Mill Road to improve an existing public street to make it safer and more functional, authorizing the condemning of the same, and/or negotiation and execution of the condemnation settlement agreement or acceptance of a deed in lieu of condemnation and authorizing the payment of estimated or final just compensation. Mr. Strunk seconded the motion. The motion passed unanimously.

### **Correspondence:**

**Dublin Borough Request for Fire Police.** Mr. Vey stated Dublin Borough is requesting approval for the assistance of any available Fire Police for traffic control at the Dublin Volunteer Fire Company Fireman's Fair scheduled to take place July 14<sup>th</sup> - July 15<sup>th</sup> and July 18<sup>th</sup> – July 22<sup>nd</sup>.

Mr. Mininger made a **MOTION** to approve the request for Fire Police assistance at the Dublin Volunteer Fire Company Fireman's Fair on July 14<sup>th</sup>-July 15<sup>th</sup> and July 18<sup>th</sup> – July 22<sup>nd</sup>. The motion was seconded by Mr. Courduff and passed unanimously.

**Bucks County Airport Authority Meeting Minutes.** Mr. Mininger stated the terminal building is finished and the trailers have been removed. The apron project should go out to bid prior to the July meeting and the bid is intended to be awarded at the July meeting.

**Milford Township Water Authority Meeting Minutes.** Mr. Strunk reported the Milford Township Water Authority Meeting Minutes of April 11, 2023 are available for review.

**Milford Trumbauersville Area Sewer Authority Meeting Minutes.** Mr. Strunk reported the Milford Trumbauersville Area Sewer Authority Meeting Minutes of April 17, 2023 are available for review.

**MS-965 State Liquid Fuels 2020-2021 Tax Audit.** Mr. Vey reported the State Liquid Fuels Tax Audit reported there were no finding. The report is available for review.

### **Reports:**

**Code Enforcement Departmental Report.** Mr. Vey presented the May 2023 Code Enforcement Report. A total of 23 permits were issued in April: 9 residential renovation permits, 7 residential accessory permits, 2 commercial permits, 2 single family dwelling permits, and 3 zoning permits. A total of 9 Use & Occupancy permits were issued, 11 fire inspections were performed and 2 Zoning Hearing Board applications were received.

**Public Works Departmental Report.** Mr. Winkler presented the May 2023 Public Works Report. Mr. Winkler stated the Public Works Department began the month working with Asphalt Maintenance Solutions. AMS oiled and chipped Mill, Mill Pond, Wentz, and West Swamp Roads. AMS also Nova chipped Blackledge Estates. All developments have been swept. Ditches have been cleaned out along Sleepy Hollow, Milford Square Pike, and Old Woods Road. The flower beds were mulched, and walking trails cleared at the Airbnb. A 200-amp electric panel and meter base for the Molasses Creek Splash Pad was installed and we are currently waiting on PPL to do the hook up. Mr. Courduff noted Blackledge is a newer road, and our portion of Buck Road looks great, the rest needs to be ditched and asked if

PennDOT has a program for controlling noxious weeds. Mr. Winkler stated they are having a hard time keeping up with the mowing.

**Park Board Report.** Mr. Vey stated the Board walked the Woodruff and there is no specific plan for the property at this time. Removal of invasives will be done to see what property has to offer, a lower intensity use like a butterfly garden or walking trail. There has been an increased number of requests for the use of the parks. The Park Board will develop recommendations for protocols for exclusive use of fields. This year was particularly gruesome where people want to dominate the park for a long period of time right before an event.

**Trumbauersville Fire Company Report.** Mr. Eric Gerhart of Trumbauersville Fire Company No. 1 presented the May 2023 report. The Fire Company responded to 15 calls, 10 of which were in Milford Township. The tanker chassis has arrived. The new body will be in in December with an April 2024 delivery. The command vehicle arrived at the upfitter and will be in service on July 4, 2023.

**Milford Fire Company Report.** Mr. Ryan Hunsicker presented the May 2023 Milford Township Volunteer Fire Company #1 report. Mr. Hunsicker stated there were 27 calls in May. June will be a busy month with the carnival coming up. The Fire Company will be utilizing the same amusement company as last year. The new Special Service 75 is in and should be getting worked on sooner than later. The gun raffle winner will be announced the weekend before the carnival. The Fire Company is looking into replacement for Engine 57. Repairs at station 75 & 57 are being discussed. Mr. Courduff asked if exercises are going on with Trumbauersville Fire Company. Mr. Hunsicker said yes, and it is working well, and they would like to try to get together to train. Mr. McClain asked how the Fire Company is doing with volunteers? Mr. Hunsicker said some days there is a great response, sometimes you get no one.

**Manager Report. Act 537 Plan Map.** Mr. Vey presented the revised Act 537 Plan Map. Mr. Vey stated where the black is present there is existing sewer. He went through and only showed sewer areas rather than a whole parcel being sewer. The difference between the previous plan and this is there was concern with not enough area being shown. It is very tight where development is shown. All red and yellow is in Milford Village, Alpas/ Skaos, which may be sold or may not be, Congregate Care, and retail. The D.R. Horton property is not located within the map. Mr. Koenig stated the Authority has approved a sewage facility module for 109 units, on CMP plan and they will need to figure out how many exact EDU's are needed. Mr. Vey stated he has begun updating the Plan and the Health Department has no reported failures.

**Pump Station 3.** Mr. Vey said he is looking for direction from the board regarding Pump Station 3 located at Allentown Road. With the improvements of 663 the pump station will be moved, and a decent generator and new control panel installed. Mr. Koenig present a plan to put in a 12'x16' building to house the controls. The building will be located nearer to the existing garage. The Board agreed the location looks good and it could be handled by an easement or lease agreement. Mr. Vey recommended a waiver of land development be approved for the proposal.

Mr. Mininger made a **MOTION** to approve a Waiver of Land Development for Pump Station 3 located on Allentown Road. Mr. Courduff seconded the motion. The motion passed unanimously.

**Addendum to Lease Agreement.** Mr. Vey presented an addendum to lease agreement for 1975 Trumbauersville Road. The tenant, Thomas & Boys, Inc., has requested to utilize 887 square feet of existing space within the building for operational purposes. The base rent will increase an additional \$6,060 with an annual increase.

Mr. Courduff made a **MOTION** to approve **Resolution No. 2023-18**, Addendum to Lease Agreement for the property located at 1975 Trumbauersville Road with an annual base rent increase of \$6,060. The motion was seconded by Mr. Mininger and passed unanimously.

**Red Hill Band Contract.** The Red Hill Band will be performing at the Concert in the Park series on Thursday, August 3, 2023 and has submitted a contract to be executed by Milford Township. The Board saw no issues with the contract.

Mr. Mininger made a **MOTION** to approve the Red Hill Band Contract for their appearance on August 3, 2023 at the Concert in the Park series. Mr. Courduff seconded the motion. The motion passed unanimously.

**Mill Valley Easement.** Mr. Vey stated fences have been installed in a buffer yard/drainage easement on properties within Mill Valley. These fences are not blocking drainage. Mr. Vey suggested the language be amended to allow fences within the easement as it does not block the drainage. Mr. Winkler said he visited the site and saw an inlet and

the water main goes around the road, not through the easement. Mr. Courduff said this may cause more problems and Mr. Mininger stated he has no problem amending the language.

**Double Wall Storage Tank.** Mr. Winkler stated there are currently 3,300 gallon of waste oil being stored in 55-gallon drums and he would like to purchase a 6,500-gallon storage tank to hold the waste oil. Quotes have been obtained, Protank \$20,505, Corrosion Resistant Technologies, Inc. \$32,450, and National Tank Outlet \$38,993. Mr. McClain asked if the township has tankers that come in to remove the oil or if the township has a use for it. Mr. Winkler stated the oil is used to heat the building.

Mr. Mininger made a **MOTION** to approve the purchase of a 6,500-gallon storage tank from Protank for \$20,505. The motion was seconded by Mr. Courduff and passed unanimously.

**Open Space.** Mr. Vey stated he has spoken with Mr. Aaron Powell regarding an open space parcel swap, 23-020-064-001 and 23-020-064. Mr. Vey stated the property is near Butter Creek and Camp Cedar Hill. Mr. Powell would like to do a square foot per square foot swap. The parcel adjoins the township owned parcel. He has contacted the County and there are no open space deed restriction noted in the Powell deed. Mr. Vey stated he will continue to work on it.

#### **Escrow Release**

Escrow Closeout, Benner, 1370 Kumry Road, TMP 23-001-128, 129, & 130.

Mr. Courduff made a **MOTION** to close the Benner Escrow Account for the property located at 1370 Kumry Road, TMP 23-001-128, 129 & 130. The motion was seconded by Mr. Mininger and passed unanimously.

Final Escrow Release Request, Carol Schmidt, 1550 Fels, TMP 23-007-035-003 in the amount of \$4,890.

Mr. Courduff made a **MOTION** to approve the final escrow release and closing of the account for Carol Schmidt for the property located at 1550 Fels Road, TMP 23-007-035-003. Mr. Mininger seconded the motion. The motion passed unanimously.

#### **Adjournment:**

With there being no further business Mr. Strunk made a **MOTION** to adjourn the Board of Supervisors meeting of June 6, 2023 at 10:13 p.m. The motion was seconded by Mr. Mininger and passed unanimously.



**Milford Township Board of Supervisors'**  
**Minutes of July 5, 2023**

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**Attendance:** Supervisors present: Charles Strunk, Chair; Thomas Courduff, Vice Chair; and John Mininger, Member. Staff present: Jeff Vey, Manager; Devan Ambron, Assistant Manager/Secretary/Treasurer; Peter Andersen, Penonni Engineering; and Kate Harper, Timoney Knox

**Call to Order:** Mr. Strunk called the meeting to order at 6:58 p.m. and announced the Board will meet in executive session following the regular scheduled meeting to discuss potential litigation. Mr. Strunk further stated Vice Chair Mr. Courduff would be chairing the meeting.

**Public Comment on Non-Agenda Items:** Mr. Robert McClain of Angstadt Road stated he regularly attends the Bucks County Commissioners meetings. Mr. McClain stated all supervisors took an Oath of Office to support, obey and defend the Constitution of the United States and the Constitution of this Commonwealth. Mr. McClain then referenced Article 4. Section 4., Article 1. Section 8., and Article 6. Section 2. of the Constitution. Mr. McClain said there has been an overreach on some of these matters with the DOJ, FBI, and State Police in Bucks County and as an elected official you must uphold the oath taken.

**Approval of Minutes:** Mr. Mininger made a **MOTION** to approval the June 6, 2023 meeting minutes. The motion was seconded by Mr. Strunk and passed unanimously.

**Financial Report:** Having reviewed the current bills list, Mr. Strunk made a **MOTION** to approve the invoices for payment, along with the Treasurer's Report of May 31, 2023. Mr. Mininger seconded the motion. The motion passed unanimously.

**Announcements:** Mr. Kravitsky reported the Zoning Hearing Board will meet Tuesday, July 11, 2023, to hear the application of Jason English/B&B Custom Pools Inc., 2022 Huber Lane, TMP 23-003-042, for a Variance from Section 404.H2.g.2, rear setback requirements.

**Conditional Use:**

**LifeQuest/MVP663I, LLC., Milford Village Section One, Route 663, TMP No. 23-010-175-001.** Mrs. Harper stated this is a decision only, not a hearing, for the Petition for Deletion of Condition 6(b), construction of a roundabout at Abby Lane and Mill Hill Road. Mr. Courduff asked if further discussion could be had with the hearing being closed. Mrs. Harper said yes, but it will not be part of the hearing and the Board does not have to deliberate in public. Mr. Marty Smith of Pany & Lentz Engineering and Mr. Roger Hiser, President of LifeQuest were in attendance. Mrs. Harper said at this time the Board is to deny or approve the request to eliminate the condition that requires a roundabout. Mr. Strunk said he thinks it is a good idea as we do not know what is going to happen on the commercial part. They don't have to build it right now, but it should be kept on the books. Mr. Courduff asked Mr. Hiser if he is open to leave the roundabout as a future condition, the petition can be approved subject to the Portzer/Old Bethlehem Pike roundabout being completed and a further study being conducted. Mr. Hiser said yes, and it is not apparent that it is a necessary issue right now. At a future date if it is found necessary then it is okay with him, he does not want to create a problem or destroy a road that was just built when the impact is unknown at this time. Mrs. Pantalone of Safe Engineering, engineer for the township, was in attendance. Mrs. Pantalone said comments were issued regarding a 3<sup>rd</sup> roundabout. Caution was thrown at the Board, the traffic plan seems to be piecemealed, this is business and business changes. Keep in mind that Portzer will be complete and traffic problems will change. Mrs. Pantalone said she agrees and is not sure what the motivation was to build the roundabout, if it is to cut down on through traffic on Mill Hill Road it is prudent to wait and not to build before we know what the problems may be. Mr. Courduff said the roundabout at Portzer Road should be finished by the end of the year. Mrs. Pantalone said once the apartments are built and the Portzer roundabout is complete, a before and after study should be conducted to see if we can quantify a cut through level and she would like to see a plan to monitor the traffic volume on Mill Hill Road. Mr. Courduff asked how the decision is handled at this point. Mrs. Harper said a draft decision was distributed for review which stated the roundabout is not required to be built at this time but may be required in the future. At this time Mr. Mininger read the condition. Mr. Courduff asked Mr. Hiser if he had any comments. Mr. Hiser stated given any future expansion would require a traffic study, no matter what happens there, they will come back with engineers, and he does know traffic is minimal. Stop signs will be put in now to see if that works. Mrs. Pantalone said it does not seem a

roundabout will do anything to deter traffic on Mill Hill Road and she does not support a 4-way stop sign as a deterrent. You need to understand the scope, where are origins and destinations, once known solutions can be engineered that speak to that need. Mr. Courduff said if you look at the project itself, 262 apartments, congregate care center and retail center, how do you accumulate that data, it will take years. Mrs. Pantalone said you will have traffic data and you can't design when its unknown what the traffic demand will be. Mr. Courduff asked for any further comments. Mr. Hiser said LifeQuest is an acute care and is managed and developed with the paramedics in the community today for the health and wellbeing in the community and there is significantly less traffic on Mill Hill today. It was suggested to build a parallel road with 663, none of that was adversarial, and the infrastructure was built the way it was wanted. There were no further comments. Mrs. Harper asked Mr. Hiser if he was amenable to the executed Decision being distributed within a few days. Mr. Hiser stated that was acceptable.

Mr. Mininger made a **MOTION** to approve the Conditional Use Decision Amending Condition 6(b), a roundabout need not be constructed at this time at Abby Lane and Mill Hill Road but as a condition of approval of future Master Plans for the AMU site, the applicant shall evaluate traffic impact by any future development and propose traffic improvements that include the intersection of Abby Lane and Mill Hill Road. The motion was seconded by Mr. Strunk and passed unanimously.

**Subdivision/Land Development:**

**Moyer Milford Square Preliminary Plan of Subdivision, 2060 Allentown Road, TMP 23-010-081**, 3-Lot subdivision in the VC-2 Zoning District. The Moyer Milford Square proposal was tabled.

**Swartley Subdivision, Revised Preliminary Plan, for the property located at 1450 Allentown Road, TMP No. 23-021-050**, proposed 3-Lot subdivision. The Swartley proposal was tabled. Mrs. Harper noted Mr. Andersen discovered the plans are not clear on where the open space is and in reviewing the plan against the zoning ordinance the open space must be clearly defined. Mrs. Harper said a decision needs to be made on ownership of the open space. Mr. Courduff asked Mr. Andersen if the applicant has obtained an NPDES permit and if the townships decision revolves around the permit. Mr. Andersen stated the decision deals with resource protected land which becomes the open space and, in his opinion, has nothing to do with the NPDES permit. Mr. Andersen further stated the applicant can get an NPDES permit on their own, but they must get approval from the township. Mr. Courduff said there are substantial wetlands delineated on lot 2 and asked if that comes out of the net. Mr. Andersen stated it does. Mr. Strunk stated he would like Mr. Winkler to walk the property. Mrs. Harper said revised plans will be received for review then a decision will be made.

**InSite Real Estate, Coffee Shop, 1930 John Fries Highway, TMP No. 23-10-019-005, Architectural Rendering.**

Mr. Vey presented the rendering for a proposed Starbucks coffee shop in front of the existing Spring Hill Suites Hotel. Mr. Vey stated the plan is before the board to see if the proposal generally meets the standards of the architectural control standards. Mr. Vey said the proposal was before the Planning Commission at the meeting of June 28, 2023 and the commission found the rendering to be in general compliance and made a recommendation to approve moving the plan forward.

Mr. Mininger made a **MOTION** to approve the architectural rendering of the proposed coffee shop for the property located at 1930 John Fries Highway. Mr. Strunk seconded the motion. The motion passed unanimously.

**Pump Station 3, 2135 Allentown Road, 23-010-123-002.** Mr. Koenig presented the proposed pump station plan. The plan includes a 12'x16' building on the corner of Allentown Road and Route 663. Due to the floodplain, the building must be placed 4'-5' off the ground. The plan has been revised with the building moved closer to the existing garage, and shows the setbacks and road improvements. Mr. Koenig stated he is looking for approval to move ahead. Mr. Vey stated the Board has waived the land development procedure and authorization is needed for our engineer to work with the Sewer Authority to ensure the proposal conforms with setback requirements and is located out of the floodplain. Mr. Vey further stated they have talked about the look of the structure and will come back with a rendering. A sign for the Fire Company has been discussed and the Authority is on board with replacement and is getting information on the sizing. Mr. Vey asked the Board if they authorize the engineer to proceed. Mr. Courduff asked if there were any immediate comments. Mr. Andersen stated a cursory review was done July 5, 2023 and revised plans are needed for a complete review. Mr. Andersen stated he needs permission from the supervisors and the Sewer Authority to perform the review as this is a Pennoni plan and a Pennoni review, to waive any conflicts. Mr. Strunk stated this is a corner lot on two busy roads where a pump station will be installed and asked why not attach the structure to our building and said this could make a mess of a valuable piece of property. Mr. Koenig stated the

building is purely for a generator and control panel. Mr. Andersen noted the floodplain comes back to where the generator building is proposed. Mr. Vey stated regarding the property line setbacks, we own both properties and asked if merged would it be problematic if the structure is up against the building. Mr. Koenig said he also sees no problem with putting the structure against the existing building although there must be airflow for the generator. Mr. Courduff asked what the timeline for the project is. Mr. Koenig stated April of 2024. Mrs. Harper stated the merger of the property may take a week if we have good legal descriptions. Mr. Vey asked Mr. Strunk if the location of the structure is the issue. Mr. Strunk said he would like to see the structure up against the existing building and driveway widened. Mr. Mininger said he has no problem either way. Mr. Courduff asked what happens with the Fire Company sign. Mr. Mininger stated it is just out of the PennDOT right-of-way. Mr. Koenig said they will come back with a sign proposal.

Mr. Mininger made a **MOTION** to grant authorization for Pennoni Engineering to move forward with reviewing the plans for compliance. Mr. Strunk seconded the motion. The motion passed unanimously.

### **Other Business:**

**Proposed Ordinance Prohibiting Engine Brake Retarders on a portion of Old Bethlehem Pike.** Mr. Vey stated a complaint was received regarding brake retarders being used on a portion of Old Bethlehem Pike, between Koons and Rosedale Road. PennDOT went out and approved the brake retarder restriction. Mr. Mininger said he has been driving the area since 1976 and jake brakes have been around the whole time, and asked why now? Mrs. Harper asked if the State Police were asked for their opinion and sometimes there is a safety factor involved. Mrs. Harper further stated she has noticed a lot of jake brake signs, often in a borough. Mrs. Harper asked if there was any public comment. Mr. Merv Afflerbach stated a truck should be able to always use all its braking power. When a jake brake is turned off the stopping time is much longer. Mr. Afflerbach further stated he has talked to other truck drivers, and they drive with their brakes on so they can stop. Mr. Courduff said he would like to investigate the matter further. Mr. Strunk stated he has no problem saying no. The proposed ordinance was tabled.

### **Correspondence:**

**Dublin Borough Fire Police Assistance Request.** A request was received from Dublin Borough for Fire Police assistance at the Dublin Volunteer Fire Company Fireman's Fair. The event is scheduled for July 14<sup>th</sup>-July 15<sup>th</sup> and July 18<sup>th</sup>-July 22<sup>nd</sup>.

Mr. Strunk made a **MOTION** to approve the request for Fire Police assistance at the Dublin Volunteer Fire Company Fireman's Fair taking place on July 14<sup>th</sup>-July 15<sup>th</sup> and July 18<sup>th</sup>-July 22<sup>nd</sup>. The motion was seconded by Mr. Mininger and passed unanimously.

**Sellersville Borough Fire Police Assistance Request.** A request was received from Sellersville Borough for Fire Police assistance for traffic control for the Sellersville Fire Department Carnival scheduled to take place July 11<sup>th</sup>- July 15<sup>th</sup> from 6:00 p.m. to 11:00 p.m.

Mr. Strunk made a **MOTION** to approve the request for Fire Police assistance at the Sellersville Fire Department Carnival taking place on July 11<sup>th</sup>-July 15<sup>th</sup>. The motion was seconded by Mr. Mininger and passed unanimously.

**Bucks County Airport Authority Meeting Minutes.** Mr. Mininger reported the apron project parking in front of the terminal building has been delayed and not has gone out to bid and there is a problem with the grant application system, it is not working.

**Quakertown Area Planning Committee Meeting Minutes.** Mr. Vey reported the minutes of April 11, 2023 reflect the new sectional Cycle Maintenance Schedule that PennDOT will be using for maintenance projects along with Capital project. Mr. Vey stated the minutes are available for review.

**Milford Township Water Authority Meeting Minutes; Financial Statement.** Mr. Courduff reported the Milford Township Water Authority Meeting Minutes of May 9, 2023 and 2022 Financial Statements are available for review.

**Milford Trumbauersville Area Sewer Authority Meeting Minutes.** Mr. Courduff reported the Milford Trumbauersville Area Sewer Authority Meeting Minutes of May 15, 2023 are available for review.

### **Reports:**

**Code Enforcement Departmental Report.** Mr. Kravitsky presented the June 2023 Code Enforcement Report. A total of 23 permits were issued in June: 5 residential renovation permits, 6 residential accessory permits, 5 commercial

permits, 6 zoning permits, and 1 single family dwelling. A total of 7 Use & Occupancy permits were issued and 13 fire inspections were performed.

**Public Works Departmental Report; 2023 Bucks County Consortium Fuel Bid, Epoxy Bid.** Mr. Winkler presented the June 2023 Report. Mr. Winkler stated Asphalt Maintenance Solutions was in for two days to do small areas of chip sealing on various roads. Integrated Turf Management finished weed spraying of guiderails and curbing throughout the township. Core tests were done at the Weiss Road Bridge. Two of our public works employees completed a month of training and passed their CDL driving test. The floor in the new storage building was poured using 55-yards of concrete. The overhead doors have been installed and the building is now ready for use.

Mr. Winkler presented the Bucks County Consortium 2023 Fuel Bid. Mr. Winkler stated Riggins, Inc. submitted the lowest bid for both Unleaded Regular and Ultra-Low Sulfur Diesel.

Mr. Mininger made a **MOTION** to award the Bucks County Consortium 2023 Fuel Bid for Unleaded Regular and Ultra-Low Sulfur Diesel to Riggins, Inc. The motion was seconded by Mr. Strunk and passed unanimously.

Mr. Winkler presented the Epoxy Floor Coating Bid. Two bids were received, Surface Systems Installation with a total bid of \$47,533 and DK Construction Services, LLC., with a total bid of \$218,000.

Mr. Strunk made a **MOTION** to award the Epoxy Floor Coating Bid to Surface Systems Installation with a total bid of \$47,533. Mr. Mininger seconded the motion. The motion passed unanimously.

**Park Board Report, Eagle Scout Bench Project, Healthy Kids Running request for field space at Molasses Creek Park.** Mr. Vey presented the Park Board Meeting Minutes of June 14, 2023. Mr. Vey stated the Board discussed maintenance issues. Mr. Hertz put together a volunteer group who did some good maintenance work. There was a lot of discussion of park usage. The Board discussed instilling an application that would go through review process to define what level of usage is required.

The Park Board received a proposal from Henry Moyer, Boy Scout Troop #185, to repair or replace seven park benches at Molasses Creek Park. The Park Board voted unanimously to recommend approval of the service project. The repair would include cleaning and repainting. The second option would be to completely restore by replacing the old wood with new pressure treated lumber and painting. Mr. Vey stated either option would be no cost to the township. Mr. Courduff asked Mr. Winkler his thoughts, repair or replace. Mr. Winkler stated the benches should be replaced with pressure treated wood, not composite as there is no structural strength. Mr. Strunk stated if there are any out of pocket costs the township can make it up. Mr. Vey stated or give a donation towards the project. Mr. Mininger stated the township could contribute 50% of the cost. Mr. Strunk said if they do not receive enough in donations the township will make up the difference. Mr. McClain asked what happens if the benches are replaced and not built to standard. Mr. Courduff stated the benches will be inspected.

Mr. Strunk made a **MOTION** to approve the park bench restoration project, replacing the existing benches at Molasses Creek Park. The motion was seconded by Mr. Mininger and passed unanimously.

Mr. Vey stated the Park Board reviewed a request from Healthy Kids Running Series who would like the use of Molasses Creek Park to host the event. The event is a five-week running program for children ages 2-14. The dates requested are five consecutive Sundays beginning September 10<sup>th</sup> through October 8<sup>th</sup>, with the option for one rain date. The Park Board recommends approval of the event on the condition that the group provides their 501.c3 paperwork.

Mr. Strunk made a **MOTION** to approve the Healthy Kids Running Series event to be held at Molasses Creek Park. Mr. Mininger seconded the motion. The motion passed unanimously.

Mr. Vey reported a request for a date change for the Peak Performance Golf Academy has been made. The event was previously approved to be held from June 19<sup>th</sup> to June 23<sup>rd</sup>. Peak Performance Golf Academy has requested the dates be changed to August 7<sup>th</sup> to August 11<sup>th</sup>. They did not receive the turnout for sign up as they expected and hope for a better turnout in August.

Mr. Strunk made a **MOTION** to approve the date change request for Peak Performance Golf Academy for the use of Molasses Creek Park August 7<sup>th</sup> to August 11, 2023. The motion was seconded by Mr. Mininger and passed unanimously.

**Trumbauersville Fire Company Report.** Trumbauersville Fire Company responded to 23 calls in June. The fire company took liberty of the new command vehicle which will be sent to get the reflective materials put on in two weeks.

**Milford Fire Company Report.** Chief Butler presented the Milford Township Volunteer Fire Company report. The fire company responded to 33 calls in June and a total of 172 calls for the year. The chassis is being installed on the special services vehicle. The air compressor should be installed within the next two months. The cameras from the state grant are in and on the trucks. The Committee for the replacement Engine Truck has begun meeting with manufacturers. Chief Butler thanked the township for the use of space for the carnival. Mr. Courduff asked Chief Butler how the process works for the replacement engine. Chief Butler said they are required to obtain three quotes and it is an actual bid process.

**Manager Report.** Mr. Vey stated Foulkes Mill Road right-of-way will be discussed in executive session. Mr. Vey reported a request has been received from Jamie Wilson, 1930 Titlow Road, to name the creek running through the property Heron Creek. The new name Heron Creek is proposed for a 1.75-mile-long tributary of Macoby Creek Branch which runs through the 11-acre parcel. Mr. Vey said the U.S. Board on Geographic Names is responsible for standardizing the names of geographic features within the 50 states and they have a commercial names policy that usually rejects the promotion of an enterprise. Mr. Vey stated he contacted the owner who will sell merchandise with the name Heron Creek Farm through Etsy and there is no public coming or going from the property. The owners would like to sell Christmas trees from the farm in the future. Mr. Vey stated the owners are aware that prior to anything being done that involves the public, the township must be notified, and zoning compliance must be met. Mr. Mininger and Mr. Strunk both stated they see no problems with the naming of the creek.

Mr. Strunk made a **MOTION** to approve the naming of the tributary of Macoby Creek, running through 1930 Titlow Road, TMP No. 23-001-017, Heron Creek. The motion was seconded by Mr. Mininger and passed unanimously.

**Escrow Release:**

**Chatham Creek, Millstone at Park Side, Foulkes Mill Road, TMP 23-010-145, Escrow Release Request #1.** Mr. Courduff asked Mr. Andersen if there were any issues preventing approval of the requested escrow release. Mr. Andersen stated there is not.

Mr. Courduff made a **MOTION** to approve the Chatham Creek, Millstone at Parkside Escrow Release. Mr. Strunk seconded the motion. The motion passed unanimously.

**Michael Orlic, Milford Village Office, 2115 Allentown Road, TMP 23-011-024, Final Escrow Release.** Mrs. Ambron stated the requested escrow release is for final project close out. All legal and engineering invoices have been received.

Mr. Courduff made a **MOTION** to approve the Michael Orlic, Milford Village Office Final Escrow Release. Mr. Strunk seconded the motion. The motion passed unanimously.

**Spinnerstown Hotel, 2195 Spinnerstown Road, TMP 23-002-075, Final Escrow Release.** Mrs. Ambron stated the requested escrow release is for final project close out. All legal and engineering invoices have been received.

Mr. Courduff made a **MOTION** to approve the Spinnerstown Hotel Final Escrow Release. Mr. Strunk seconded the motion. The motion passed unanimously.

**Adjournment:** With there being no further business Mr. Courduff made a **MOTION** to adjourn the Board of Supervisors meeting of July 5, 2023 at 8:20 p.m. The motion was seconded by Mr. Mininger and passed unanimously.

**Attendance:** Supervisors present: Charles Strunk, Chair; Thomas Courduff, Vice Chair; and John Mininger, Member. Staff present: Jeff Vey, Manager; Devan Ambron, Assistant Manager/Secretary/Treasurer; Peter Andersen, Penonni Engineering; and Nolan Finnerty, Timoney Knox; Gregg Kravitsky, Zoning Officer

**Call to Order:** Mr. Strunk called the meeting to order at 7:00 p.m.

**Public Comment on Non-Agenda Items:** Mr. Robert McClain of Angstadt Road stated on Klines Mill Road at Sleepy Hollow Road, the hill coming down, a lady almost slammed into him and asked if signs can be put up into the Mumbauerville area as it is an accident waiting to happen. Mr. McClain said he gave a speech to the Bucks County Commissioners and presented the board with the same speech. Mr. Courduff asked Mr. Winkler to look at the intersection for safety concerns.

**Approval of Minutes:** Mr. Courduff made a **MOTION** to approve the July 5, 2023 meeting minutes. The motion was seconded by Mr. Mininger and passed unanimously.

**Financial Report:** Having reviewed the current bills list, Mr. Strunk made a **MOTION** to approve the invoices for payment, along with the Treasurer's Report of June 30, 2023. Mr. Courduff seconded the motion. The motion passed unanimously.

**Announcements:** Mr. Kravitsky reported the Zoning Hearing Board will meet Tuesday, August 15, 2023, to hear the application of Michael and Theresa Zataveski, 2701 Allentown Road, TMP 23-005-028, for a Variance from Section 404.H3.a., to permit an accessory apartment with a total floor space of 1,275 square feet where 650 square feet is permitted.

**Subdivision/Land Development:**

**Moyer Milford Square Preliminary Plan of Subdivision, 2060 Allentown Road, TMP 23-010-081, 3-Lot subdivision in the VC-2 Zoning District.** The Moyer Milford Square proposal was tabled.

**Swartley Subdivision, Revised Preliminary Plan, for the property located at 1450 Allentown Road, TMP No. 23-021-050, proposed 3-Lot Subdivision.** Mr. Gavin Laboski was in attendance on behalf of the applicant. Mr. Laboski stated the application has received multiple reviews. Mr. Vey stated Mrs. Harper has distributed the Resolution for review. Mr. Nolan Finnerty, Timoney Knox, stated there are items to address. One relating to the size of the lot which is slightly off and needs to be cleaned up. Ms. Smith, project engineer, stated the site was a tough configuration and there were some issues with the open space which has been spread out over 6 areas throughout the site and the plan meets the open space requirement. Mr. Courduff asked Ms. Smith if she is confident with the plan and stormwater controls, that stormwater runoff won't increase or cause further problems. Ms. Smith said yes, the plan meets the requirements of the ordinance.

Mr. Courduff made a **MOTION** to approve **Resolution No. 2023-19** granting Preliminary/Final Subdivision Approval with conditions, for the application of James and Evelyn Swartley. The motion was seconded by Mr. Mininger and passed unanimously.

**Milford Village Section 1A-Stonewall Apartments, Preliminary Plan, Route 663, TMP 23-010-175-001.** Mr. Marty Smith, Pany & Lentz, was in attendance to present the Land Development proposal for the Stonewall Apartments located in Section 1W within Milford Village. Mr. Smith stated they have been before this body with the Seventh Revised Master Plan Conditional Use, now they are revisiting the Land Development. The Applicant is requesting a Preliminary Plan approval. The plan was presented to the Planning Commission last month where a preliminary approval was recommended. Mr. Smith stated the plan will be refined based upon the review letters then resubmitted for Final Plan review. Mr. Smith stated the layout was presented on the Master Plan and now can be looked at specifically for the apartments. Mr. Courduff said the apartments are being discussed but there has been no comment on the 7,000 square foot clubhouse. Mr. Andersen stated after review of the plan he had no comment. Mr. Courduff asked if EDU's for the clubhouse have been applied for. Mr. Smith said they have had a preliminary conversation with the Authority who saw the plan and they were told how many EDU's to apply for. He further stated they will go through the process again. Mr. Courduff said he would like to see comments on the clubhouse. Mr. Courduff asked if outside people would be utilizing the clubhouse. Mr. Smith stated it is an amenity for the residents of the apartment and the clubhouse will include the leasing office and a place to hang out. Mr. Courduff said it looks like 3 to 4 EDU's will be required. Mr. Courduff stated a comment located on the Bucks County Planning

Commission, Comment 5, addresses the common area. Per Section 301 of the SALDO, open space shall not include stormwater detention or retain basins. Mr. Andersen noted wet basins are permitted in the open space. Mr. Smith stated there is green space in the middle of the apartment complex for the residents and there is a large infiltration basin in the corner at Route 663, and another small basin where Abby will connect to 663 in the future. Mr. Mininger asked what the ratio of 1- and 2-bedrooms apartments are. Mr. Smith said it is currently a 50/50 split. Mr. Courduff asked if the township traffic engineer has reviewed the plan. Mr. Smith replied it has not been sent for review at this time and it will be incorporated into the next plan set for review. Mr. Courduff said, and the applicant is seeking Preliminary Final Plan approval. Mr. Vey said this is where the legal action is, at Preliminary Plan review, it is the substantive issues, the conditions of the review letters. Mr. Vey noted the importance of the right-of-way on Mill Hill Court. Mr. Smith said back in the day the right-of-way was 30' and said maybe the township would like to give 5' back. Mr. Vey asked Mr. Andersen what he is comfortable with. Mr. Andersen said the change in the right-of-way gave the township too much and it would make the right-of-way smooth rather than jogging up and down. Mr. Vey asked Mr. Winkler what he is comfortable with. Mr. Winkler said he is fine with keeping the additional right-of-way. Mr. Vey asked if the parking requirement is met. Mr. Smith said he will look the plan to evenly to distribute the spaces along with the accessible spaces. Mr. Smith said there was just enough per ordinance, they were just not distributed properly. Mr. Vey asked if thoughts have been given to the located of the electric vehicle charging spots. Mr. Smith said not yet. Mr. Andersen brought to the boards attention the applicant is asking for a waiver on the size of the parking spaces. Mr. Strunk said parking spaces are required to be 10'x20'. Mr. Vey said a waiver is also being requested to allow portions of the proposed project to be served by overhead cables. Mr. Smith said a portion of the site is currently served by overhead cables and underground cables would also be utilized in some areas. Mr. Courduff asked if the access for the Fire Departments, and larger trucks, along with placement of fire hydrants has been reviewed. Mr. Smith said the plan is under review by the Fire Chief and a plan for truck turning will be provided. Mr. Courduff said the Bucks County Planning Commission review letter states a Landscape Architect should prepare the Landscape Plan. Mr. Vey said a major item in the engineering review is Abby Lane is proposed as a private road. Mr. Smith stated that is correct and the road will be built to township specs. Mr. Vey said another item addressed is recreation facilities and noted as he understands the club house will be the recreation facility. Mr. Smith said that is correct along with a walking trail that will connect to the trail that runs throughout the site. Mr. Courduff noted the Bucks County Planning Commission recommends a bike trail be installed along 663. Mr. Smith said the trail will be internal and the previous review of the improvements did not note a bike trail. Mr. Courduff said the applicant has applied for a multimodal grant and a bike lane would help. Mr. Smith said one thing that can be looked at are improvements towards the Allentown Road/663 intersection instead of changing the whole design, maybe a connection trail down towards 663. Mr. Strunk stated he is not comfortable with Preliminary Plan approval at this time. Mr. Courduff said he agrees. Mr. Vey noted the requested waiver of parking space size is a major item which would affect impervious surface and asked Mr. Smith what would happen if the plan goes to 10'x20' spaces. Mr. Smith said it may accommodate the size. Mr. Andersen said his first guess would be the loss of some units to which Mr. Smith said or cover up a basin and make it underground. With there being no further discussion the Preliminary Plan proposal for the Milford Village Section 1W, Stonewall Apartments was tabled.

**Powell, Concept Plan of Minor Subdivision, Wright Road/Old Woods Road, TMP 23-020-064.** Mr. Bob Irick of Irick Eberhardt & Mientus Inc. was in attendance to present the proposal. The owners are proposing a minor subdivision that includes the adjoining properties of Dick and Nina Helm and open space belonging to Milford Township. The Powells propose a 9,000 square foot even land swap with the Helm property and a 143,157 square foot land swap with the Township. The land is intended to be used to expand their lavender/wildflower farm along with beekeeping. The Planning Commission reviewed the proposal and offered comments. Mr. Vey stated one concern was that the open space property swap does not lead to additional development. There was also concern regarding the Butter Creek Corridor. At the time of the open space acquisition serious consideration was given to having access to Butter Creek for future trails. Mr. Vey stated the site capacity calculations were done to identify the development potential of the existing 10-acre Powell property. There is no development potential as Single Family; however, the calculations show the potential for two dwellings as Single-Family Cluster, Use B5. The minimum lot size for Single Family Cluster is 34,000 sq. ft. Mr. Vey said with a cluster subdivision, lot 1a and 1b can be accommodated along with the required 75% open space and it is not the intent of the Powells to subdivide now, but not to give up the possibly in the future. Mr. Courduff asked Mr. Irick if his client would offer a deed restriction from further subdivision. Mr. Irick said his client does not intend to subdivide. Mr. Courduff asked the Helms if they are in favor of



the subdivision. Mr. Helm stated they are. They are not using the corner of the property and it will improve the appearance. Mr. Vey asked Mr. Irick if he looked at woodland clearing. Mr. Irick said he did and it meets the ordinance. Mr. Vey said the language in the deed restriction on the existing property does not address the swapping of land and the County Solicitor will have to review the proposal. Mr. Courduff asked if the trail head has been looked at. Mr. Vey said it is located on the southside of Butter Creek and the intent is to run the trail up Butter Creek and connect at Manderfield. Mr. Courduff asked if an easement was a possibility. Mr. Irick stated he will look at the plan to see that it does not interfere with the intent. Mrs. Powell said she is completely open to a trail head. Mr. Vey stated he feels the conceptual comments have been addressed and a review by the county should be done. Mr. Courduff asked Mr. Vey if the Planning Commission had any comments to address. Mr. Vey stated the Planning Commission comments addressed the access to Butter Creek, woodland clearing and future development and said the Planning Commission found the plan to be satisfactory and to proceed to see what the county has to say. There were no further comments.

**Willauer, Waiver of Land Development Request, 2000 John Fries Highway, TMP 23-010-090.** Tabled.

**Other Business:**

**Milford Township, Deed of Consolidation, Allentown Road, TMP 23-010-123-002, 23-011-021, 23-011-022, 23-011-023.** Mr. Vey stated the Deed of Consolidation was discussed briefly at the last Board of Supervisors meeting. The properties the township acquired had a strange layout and the Deed of Consolidation eliminates the property line creating a cleaner configuration into one parcel. Mr. Vey stated he believes the Deed can be recorded as is.

**Foulkes Mill Road Right-of-Way, Storosh, TMP 23-010-138-001, 23-010-138-003.** Mr. Finnerty stated the Declaration of Taking of the Right-of-Way along Foulkes Mill Road has been filed for the two parcels. Mr. Vey stated in terms of urgency, it is not there in that the right-of-way is for the widening of the road, not the sewer. Mr. Vey stated financial security is in place and if needed the township can do the widening, which is minor. Mr. Vey further stated the Township is the backstop and there does not seem to be a prospect of resolution with the matter. Mr. Andersen stated improvements are located in the ultimate right-of-way. Mr. Andresen noted the house sits back 100' off the road and this is a minor taking and what the landowner wants is significantly more than what it is worth, this is a matter of valuation.

**NFI, Quakertown Logistics, 2001 Interchange Way, Bond Request.** Mr. Andersen stated NFI posted a Letter of Credit in the amount of \$2 million and has completed roughly \$1.5 million of improvements so far. A release has been prepared leaving half a million to complete the remaining work. NFI is looking for conversion from a letter of credit to a performance bond. Mr. Mininger stated in his experience all attorneys he has worked with or spoken to are against bonds and recommend another way to satisfy the remaining escrow. Mr. Courduff did note that a bond is allowed per the MPC.

**Correspondence:**

**Coopersburg Borough Fire Police Assistance Request.** A request has been received from Coopersburg Borough for Fire Police assistance for their Community Day event. The event is scheduled to take place September 16, 2023.

Mr. Courduff made a **MOTION** to approve the request for Fire Police assistance at the Coopersburg Borough Community Day event taking place on September 16, 2023. The motion was seconded by Mr. Mininger and passed unanimously.

**Bucks County Airport Authority Meeting Minutes.** Mr. Mininger reported the apron improvement project is ready to go out to bid. Mr. Mininger said a call was received by a resident who reported an alien sighting and wanted to know if it had been seen on radar. The resident was told the airport did not have radar and to check with Allentown. The resident later called back to report it was not an alien.

**Quakertown Area Planning Committee Meeting Minutes.** Mr. Vey reported the minutes of the Quakertown Area Planning Committee meeting of June 13, 2023 state a review of the Special Exception for Morgan Creek Farm was done. The Committee unanimously voted to provide a review letter stating that the Committee had no comments on the request for a special exception. The Committee reviewed a Zoning Ordinance and Map Amendment proposal for Trumbauersville Borough, to create the LI Light Industrial District. Mr. Vey stated the change would affect Bracalante and the Fire Company. The proposal is to from SRL to LI. Mr. Vey reported the Committee moved to make approval.



**Milford Township Water Authority Meeting Minutes.** Mr. Vey reported routine business was discussed at the June 13, 2023 Water Authority meeting. The minutes reflect the Portzer Road/Old Bethlehem Pike roundabout being delayed due to the replacement of an electric pole and line. Sampling of Well #5 for VOC's has been done weekly since the fuel tank spill on Portzer Road. To date there were non-detects observed.

**Milford Trumbauersville Area Sewer Authority Meeting Minutes.** Mr. Vey reported routine business was discussed at the June 19, 2023 Sewer Authority meeting. Mr. Vey stated the sewer district plan is in the process of being enlarged so the Authority can determine the number of EDU's needed and Ms. Kelly Boettin from DEP will be contacted to determine what steps are needed to submit the 537 Plan. The minutes further state three manholes have been adjusted to finished grade for the roundabout project, and the Board of Supervisors waived the land development process for the emergency generator proposal.

### **Reports:**

**Code Enforcement Departmental Report.** Mr. Kravitsky presented the July 2023 Code Enforcement Report. A total of 22 permits were issued in July: 8 residential renovation permits, 10 residential accessory permits, 3 commercial permits, and 6 zoning permits. A total of 5 Use & Occupancy permits were issued and 8 fire inspections were performed. One Zoning Hearing Board application was received.

**Public Works Departmental Report.** Mr. Strunk presented the July 2023 Report. The Public Works Department spent a good portion of the month weeding and mulching in the parks. The crew also removed dead trees in the open space at Valley View and Milford Glen. There were several days of clean up from storm damage which included cleaning ditches and installing R-4 rip rap along the shoulder of Old Woods Road. On Brick Tavern Road, the aluminum storm pipe collapsed, and a section of pipe was replaced. Base repairs were done on Possum Hollow Road installing 40 tons of 19 mm blacktop. The rotten wooden floor was removed from the gazebo in Molasses creek park and replaced with 4 yds of concrete.

**Park Board Report.** Mr. Vey presented the Park Board report of July 12, 2023. Routine business was discussed with focus on a proposal from Valley Soccer.

**Agricultural Security Area Advisory Committee Meeting Minutes.** Mr. Courduff stated one the big items discussed was the upcoming AG Daze being held on September 9, 2023, from 11:00 a.m. to 4:00 p.m. Mr. Courduff said Mrs. Kline reported contact has been made with sponsors, advertisements have been confirmed, and legislative representatives have been contacted. Mr. Courduff reported the Committee is continuing to work on leases with one of the big issues being crop damage and deer management. Mr. Courduff stated the PA Game Commission has reviewed the regulations and now allows a straight shoulder cartridge which may be a 45-70 or .350 Legend and the low velocity rounds have sight in features of 200 yards. Mr. Courduff said we are no longer talking archery, buckshot, slugs, or crossbows but rifle rounds on Township owned leased property and that has a significant change of velocity and trajectory. Mr. Malachowski stated he had an issue with hunters on his property shooting towards his house with a gun. Mr. Malachowski further stated that the hunter said his son goes to Faith Christian so he can hunt there. Mr. Courduff said the matter will need to be looked at possibly as a lease and there will be further discussion.

**Trumbauersville Fire Company Report.** Mr. Strunk stated the Trumbauersville Fire Company Report for July 2023 is available for review.

**Milford Fire Company Report.** Mr. Strunk stated the Milford Fire Company Report for July 2023 is available for review.

**Manager Report.** Mr. Vey stated funding has been received from the Bucks County Conservation District for the Oaklynn Drive Low Volume Road project, located at Oaklynn Drive and Nursery Road. The Road Crew will install a trench drain to help with stormwater issues.

Mr. Vey stated Mr. Brandon Corby, Valley Soccer, is in attendance to present a proposal for construction of soccer fields on township owned open space on Brinkman Road. Mr. Corby stated there are 400-500 kids in two programs, travel teams and intramural teams, primarily from Milford, Marlborough, and Upper Hanover. Valley Soccer is looking to develop a facility consisting of 3-4 fields to have all the programs together. In looking at the open space on Brinkman Road, the location provides easy access for the community and visiting teams as it is close to the turnpike.

The large level area would accommodate 2-3 athletic fields with a possible expansion. There is an opportunity to construct restrooms, a pavilion, and a storage building. Mr. Corby said the space is large enough to have other outdoor amenities like a walking trail around the fields. Mr. Corby said Valley Soccer is looking for a central location and this could be a dual community use. The enrolment is down due to covid but is getting back up there and there are new board members who are bringing it back strong. Valley Soccer covers a broad area and is very competitive and is the lowest price club in the area. Valley Soccer is looking to come up with an agreement to develop the Brinkman Road space into a facility. Mr. Corby said parking is ample and he would like to start with 1-2 fields, engineering studies would be performed along with any other studies found necessary. Mr. Corby stated other townships have not expressed a willingness to go with a long lease and he is worried they will lose the facilities they currently utilize. Mr. Courduff asked Mr. Corby to define long term. Mr. Corby said it is dependent on the cost and overall feasibility. Mr. Courduff asked if there is a defined plan for funding and he would need to see what all is entailed. Mr. Corby said this is a very basic introduction and funding is by registration fees, donations, and fundraising. Mr. Courduff asked if Valley Soccer is a 501.3.c with corporate directors and how those directors are selected. Mr. Corby said it is and there is an election for a 2-year term, and they are chosen by the membership of the club. Mr. Courduff asked how long they have been in existence. Mr. Corby replied over 30 years. Mr. Vey said the proposal was discussed by the Park Board who is favorably disposed and wants to work out details. Mr. Vey asked how traffic is handled at Brinkman if there is a tournament field, and possibly make all traffic go out to Kumry/Krammes to the traffic light. Mr. Vey noted there has been discussions about similar things on a smaller scale, the little league did all the capital improvements themselves. There has been rumblings of the township doing the maintenance, have to watch the overhead of maintenance and the costs associated with it. Mr. Courduff said he would like to see the proposal go to the next step as this is a benefit for the youth of our community.

**Public Comment:** Mrs. Helm of Old Woods Road stated she has spoken to Mr. Winkler about parking on Old Woods Road. The turnpike workers are parking on the roadway making it hard to drive on the road with a pickup truck and impossible with a bigger truck. Mr. Winkler stated Mr. Kravitsky is not able to enforce no parking on the road and he is worried about erosion and parking. Mr. Vey stated he has contacted Trumbull to discuss the situation and they will provide an alternative parking area to get the cars off the road. Mrs. Helm presented pictures of the vehicles parked on the roadway. Mrs. Helm stated there have been tractor trailers going down the road and they cannot get across the Unami. The road is being broken up and she was told nothing can be done on Old Woods due to the base of the roadway. Fog lines were painted which was great. Mr. Courduff stated he thought a parking area was created in the area of Upper Ridge Road. Mrs. Helm it was. Mr. Vey stated he will keep an eye on it.

Mr. Brian Malachowski of Breisch Road stated he had 3 tractor trailers delivering school buildings to Faith Christian end up in his yard and the end of the road was torn up. Mr. Malachowski stated he knows Faith Christian helps out the township and the Fire Department, but something has to be done. Mr. Malachowski further stated in previous meetings it was stated he was to meet with township staff regarding stormwater run-off and would like to set that meeting up. Mr. Andersen said he did a site visit with Mr. Vey previously and he would be happy to link up with Mr. Malachowski on site. Mr. Malachowski said during the last storm at Allentown Road at Breisch Road, water coming from the parking lot was flooding the road and the practice facility floods every storm. Mr. Winkler stated no complaints have been received for Breisch Road. Mr. Malachowski said it has drastically gotten worse and he hates to come here to complain but something must be done. Mr. Vey stated he and Mr. Andersen will meet Mr. Malachowski on site Friday, August 4<sup>th</sup> at 9:00 am and he will aim to have Faith Christian come to the next Board of Supervisors meeting.

**Escrow Release:**

**Chatham Creek, Millstone at Park Side, Foulkes Mill Road, TMP 23-010-145, Escrow Release Request #2.** Mr. Courduff asked Mr. Andersen if there were any issues preventing approval of the requested escrow release. Mr. Andersen stated there is not.

Mr. Mininger made a **MOTION** to approve the Chatham Creek, Millstone at Parkside Escrow Release. Mr. Courduff seconded the motion. The motion passed unanimously.

**NFI Industries, 1 New Road Warehouse, 2001 Interchange Way, TMP 23-010-023, Escrow Release Request #1.**

Mr. Courduff made a **MOTION** to approve the Quakertown Logistics (NFI) Escrow Release request. Mr. Mininger seconded the motion. The motion passed unanimously.

**Adjournment:** With there being no further business Mr. Courduff made a **MOTION** to adjourn the Board of Supervisors meeting of August 1, 2023 at 8:44 p.m. The motion was seconded by Mr. Mininger and passed unanimously.

