

**Milford Township Board of Supervisors’
Minutes of January 2, 2024 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; John Mininger, Vice Chair; and Christian Haberle, Member
Staff present: Jeff Vey, Manager; Devan Ambron, Assistant Manager/Secretary/Treasurer; David Winkler, Public Works Director; Gregg Kravitsky, Zoning Officer; Pete Andersen, Penonni Engineering; and Kate Harper, Timoney Knox.

Re-Organization:

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

Resolution No. 2024-01, Appointments, Reappointments and Modifications of Appointments:

Mr. Vey presented the Board with the list of Appointments, Reappointments and Modifications of Appointments for 2024.

		<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 a Division of Penonni (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	
Assistant Zoning Officer	Barry Isett & Associates (Third Party)	
Public Works Director	Jeffrey Vey	
Elected Real Estate Tax Collector	David Winkler	
Earned Income Tax Collector	Betsy Moyer (4-Year Term)	12/31/2025
Local Tax Collector	Keystone Collections Group	
Independent Auditor	Betsy Moyer (4-year Term)	12/31/2025
	Styer Associates	
<u>Zoning Hearing Board</u> (3-Year Term)	William J. Buchanan, Member	12/31/2025
	Mark Schlosser, Member	12/31/2026
	Timothy Johnson, Member	12/31/2024
	Josh Sinsel, Alternate	12/31/2025
	Tim Jozefowski, Alternate	12/31/2026
<u>Zoning Hearing Board Solicitor</u>	High Swartz LLP	
	Thomas E. Panzer, Esquire	
<u>Board of Supervisors</u> 6-Year Term	<u>Vacancy Board</u> 1-Year Term	
Charles Strunk 12/31/2025	Stephen Shelly 12/31/2024	
John Mininger 12/31/2027		
Christian Haberle 12/31/2029		
<u>Elected Auditors</u> 6-Year Term	<u>Planning Commission</u> 4-Year Term	
Sheryl Nierenberg 12/31/2025	Francis Murray 12/31/2024	
Julia Fuentes 12/31/2027	Edwin Bolton 12/31/2025	
Michael Cordovano 12/31/2029	Merv Afflerbach 12/31/2026	
	Susan Edwards 12/31/2027	
	Adam Klein 12/31/2027	

Park and Recreation 5-Year Term
Robert Irick 12/31/2026
Allen Clemens 12/31/2024
Kyle Kocher 12/31/2028
Iveta Gigova 12/31/2024
Jerry Hertz 12/31/2025

Agricultural Security Area Advisory 1-Year Term
Christian Haberle, Supervisor
Paul Longacre, Farmer
Terry Landes, Citizen
Wendell Gehman, Farmer
Lester Weisel, Farmer

Fire Marshal
Christopher Kletzing

Emergency Management
Josh Mallery, Emergency Management Coordinator
Christopher Kletzing, Assistant Emergency Management Coordinator

Building Code of Appeals 5-Year Term
James Rotenberger 12/31/2027
Estelle Eberhardt 12/31/2025
Eric Jurin 12/31/2026

Milford Township Water Authority 5-Year Term
Fran Murray 12/31/2028
Richard Kulp 12/31/2027
Charles Strunk 12/31/2026
Arnold Mancini 12/31/2025
Joseph Smalley, Jr. 12/31/2024

Milford Trumbauersville Area Sewer Authority 5-Year Term
William Heffentrager 12/31/2024
Warren Levy, Jr 12/31/2027
Robert Smith 12/31/2025
Gary Parzych 12/31/2026
Keith Ruppel 12/31/2028

Mr. Strunk made a **MOTION** to approve **Resolution 2024-01**, Appointments, Reappointments and Modification of Appointment. The motion was seconded by Mr. Mininger and passed unanimously.

Resolution No. 2024-02, Establishing Earned Income Tax Rates for 2024:

Mr. Vey stated the earned income tax rate for 2024 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. 2024-02**, Establishing the Earned Income Tax Rates for 2024. The motion was seconded by Mr. Haberle and passed unanimously.

Resolution No. 2024-03, Real Estate Tax:

Mr. Vey stated the Real Property Tax for road, bridge, and general purposes is 0.75 mills and 1.25 mills for support of Fire Companies who serve Milford Township.

Mr. Strunk made a **MOTION** to approve **Resolution No. 2024-03**, Levying a Tax Upon Real Property. The motion was seconded by Mr. Haberle and passed unanimously.

Resolution No. 2024-04, 2024 Fee Schedule for Services:

Mr. Strunk stated the fee schedule is available for review.

Mr. Strunk made a **MOTION** to approve **Resolution No. 2024-04**, Fee Schedule for Service. The motion was seconded by Mr. Mininger and passed unanimously.

Resolution No. 2024-05, Street Light Assessment:

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

Mr. Strunk made a **MOTION** to approve **Resolution No. 2024-05**, Street Light Assessment. The motion was seconded by Mr. Haberle and passed unanimously.

Mr. Haberle was nominated by Mr. Strunk as the Voting Delegate for Milford Township at the 2023 PSATS Convention being held at Hershey Lodge on April 14 through April 17, 2024.

Mr. Strunk made a **MOTION** affirming that Mr. Haberle would be the Voting Delegate of Milford Township at the 2024 PSATS Convention being held April 14 through April 17, 2024. Mr. Mininger seconded the motion. The motion passed unanimously.

With their being no further business, Mr. Strunk adjourned the re-organizational meeting at 7:09 p.m.

**Milford Township Board of Supervisors’
Minutes of January 2, 2024 Meeting**

Call to Order: Chairman Charles Strunk called the meeting to order at 7:09 p.m.

Attendance: Supervisors present: Charles Strunk, Chair; John Mininger, Vice Chair; and Christian Haberle, Member. Staff present: Jeff Vey, Manager; Devan Ambron, Assistant Manager/Secretary/Treasurer; David Winkler, Public Works Director; Gregg Kravitsky, Zoning Officer; Pete Andersen, Penonni Engineering; and Kate Harper, Timoney Knox.

Approval of Minutes:

Approval of the Meeting Minutes of December 5, 2023 was tabled at this time.

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 December 31, 2023. Mr. Haberle seconded the motion. The motion passed unanimously.

Mr. Vey 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. Mininger 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. Haberle seconded the motion. The motion passed unanimously.

Recognition of Board of Supervisor, Thomas Courduff: Mrs. Ambron recognized Mr. Courduff’s years of service and achievements. Mr. Courduff served as a Milford Township Supervisor for over 16-years. Mr. Courduff served on the Milford Trumbauersville Area Sewer Authority Board, Milford Township Water Authority Board, Pennsylvania State Association of Township Supervisors Watershed Advisory Council of the Delaware River Basin Committee, and a member of the Bucks County Planning Commission Technical Advisory Committee. Mr. Courduff was a member of Eastern Pennsylvania Water Pollution Control Operators Association for over 50-years and a Life Member and former President of Pennsylvania Municipal Authorities Association. Mr. Courduff was the recipient of the Governor’s Award for Local Excellence in 2000 along with the Sahli Award. Mr. Vey presented Mr. Courduff with an honorary plaque and thanked him for his dedication to Milford Township and its residents and stated it was an honor to work alongside Mr. Courduff.

Announcements:

Amendment to 2024 Meeting Schedule. Mr. Vey stated there is an amendment to the approved 2024 Meeting Schedule. The November Board of Supervisors meeting will take place Wednesday, November 6, 2024 due to Election Day falling on Tuesday, November 5, 2024. Mr. Vey announced a work session will be held Tuesday, January 9, 2024 at 8:00 a.m. at the Township Building and will be advertised as required.

Mr. Haberle made a **MOTION** to approve the amendment to the 2024 Meeting Schedule along with the addition of a Work Session to be held on Tuesday, January 9, 2024 at 8:00 a.m. at the Township Building. Mr. Mininger seconded the motion. The motion passed unanimously.

Donation of Property, Buck Road, TMP No. 23-001-088. Mr. Vey reported a donation of .31 acres of woodlands, located on Buck Road, have been donated to the township at no cost. This was done for tax purposes.

Mr. Mininger made a **MOITON** to accept the donation of property located on Buck Road, TMP No. 23-001-088, consisting of .31 acres. The motion was seconded by Mr. Haberle and passed unanimously.

Other Business:

Authorize Solicitor to Advertise Zoning Amendments. Mr. Vey presented the proposed Zoning Amendment which includes Sec 404.B6.a(5). Performance Standard Subdivision and 529. Exceptions to Building Height. Mr. Vey stated currently in the PI District, the maximum building height may be increased to fifty (50) feet provided that a special exception is granted by the Zoning Hearing Board. Mr. Vey stated the amendment would include the inclusion of the PC District and the site area is greater than 5-acres and meets the expressed criteria that is currently in the ordinance which states: All Fire Department equipment must be capable of accessing the building from all sides; The building must be equipped with a sprinkler system that utilizes sprinkler heads acceptable by the Board of Supervisors; Fire Department connections and standpipes must be installed in locations acceptable to the Board of Supervisors; and Applicant must grant to the Bucks County Airport Authority, its successors and assigns, an Avigation Easement that provides the Bucks County

Airport Authority's, its successors and assigns, with the right, but no the obligation, to remove obstructions on any portion of the property in an Approach, Transitional, Horizontal and/or Conical Zone of the Airport Zone (See Section 643 and 644 below) where the potential exists for an obstruction to penetrate those zones creating a hazard to air navigation. Mr. Vey started there has been discussions regarding the equipment needs of the Fire Company along with procedure. Mr. Vey questioned if this should be permitted by Special Exception with a fee of \$550 or Conditional Use where the fee is \$1,600. Mr. Vey stated it is his understanding that if they meet the expressed criteria for a Conditional Use approval an approval would be granted, and a Special Exception has the capability of more conditions being applied. Mr. Vey asked Mrs. Harper if there was wording, or what is the legality, to help meet the capital needs of the Fire Company. Can there be an imposition as a condition, to make some sort of contribution to the Fire Company over time. Mrs. Harper said the Board has the right to ask if the applicant will accept such conditions and the question is should that be done by the Board of Supervisors or Zoning Hearing Board. Mr. Vey asked if this could be done as a condition. Mrs. Harper replied it is always safer to ask. The amendment also includes a revision to Section 404.B6. Performance Standard Subdivision in the RD Zoning District, only single-family housing types (Sec. 404.B6.b (1) Single Family Detached, (2) Detached Dwelling-Off Center, and (3) Village House, shall be permitted by Conditional Use where the site is a minimum of 50-acres and adjoins an SRM or VC-2 Zoning District. Mr. Vey stated the amendment incorporates the inclusion of the VC-1 Zoning District and a condition to allow these uses is demonstration to the satisfaction of the Board of Supervisors that improvements for traffic impact are satisfactorily addressed. Mr. Vey asked if there were any problems with the PC-Planned Commercial District and the requirement for 5-acres being added to Section 529 and what the preference is, Zoning Hearing Board or Conditional Use. Mr. Vey stated he has always been under the impression that conditions are instilled to a Special Exception. Mrs. Harper said Special Exceptions and Conditional Uses are both allowed uses unless someone proves it is a detrimental use. Mr. Vey asked if the expressed criteria are met by a Conditional Use, can the Board of Supervisors add conditions. Mrs. Harper stated all Fire Department equipment access on all sides is already in there. Mr. Vey asked about contributing to the Fire Company for equipment that may be needed for taller building. Mrs. Harper stated the language may be changed to state the entire building, from all sides including the roof. Mr. Vey stated if it can be addressed by either board, then Conditional Use. Mr. Vey stated the amendment would be advertised for adoption at the February 6, 2024 Board of Supervisors meeting.

Mr. Mininger made a **MOTION** to authorize advertisement of the proposed Zoning Amendment. The motion was seconded by Mr. Haberle and passed unanimously.

Renewal of Township Manager Contract. Mrs. Harper stated the Township Managers Contract stays exactly the same with the exception that the contract is for a 2-year period, which is permitted.

Mr. Mininger made a **MOTION** to approval renewal of the Township Managers Contract for a 2-year period. The motion was seconded by Mr. Haberle and passed unanimously.

Land Development:

Moyer Milford Square, Preliminary Plan of Subdivision, 2060 Allentown Road, TMP No. 23-010-081. 3-Lot subdivision in the VC-2 Zoning District. The Preliminary Plan of Subdivision for the Moyer Milford Square proposal was tabled.

Powell, Preliminary Plan of Subdivision, Wright Road/Old Woods Road, TMP No. 23-020-064, 23-020-064-001, 23-020-066. Mr. Bob Irick of Irick, Eberhardt & Mientus was in attendance to present the proposal. Mr. Irick stated the lot line change involves three properties owned by Aaron and Elaina Powell, Dick and Nina Helm, and Milford Township. The properties are located on Old Woods and Wright Road. A total of approximately 143,000 square feet is being swapped. After conveyance each lot will remain the same size. Plans were submitted and reviewed by Pennoni Engineering, the Bucks County Planning Commission, and the Milford Township Planning Commission. Several conditions have been recommend which include a 25' wide easement to access the rear parcel so it does not become land locked. Mr. Powell stated a discussion was had regarding a fee simple conveyance and providing additional land for parking up to 5 cars, which is intended for a future trail. Other conditions include no further subdivision and reorientation of property lines. Mr. Irick asked the Board if there were any questions or concerns at this time. Mrs. Harper stated she has drafted a Resolution. The Township land was purchased using County Open Space funds and the Resolution will be required to be approved by the County. Mrs. Harper noted the Resolution grants the requested waivers. Mr. Mininger asked if the Powell's are okay with deed restriction. Mr. Irick stated they are. Mrs. Harper said the County should be okay with the swap, which enhances the open space that the County helped buy. Mr. Vey stated he did have a discussion with the County a few months ago and does not anticipate any problems. There will be need for a revision of deed restrictions. Mr. Strunk asked why Milford Township would want to do this. Mr. Vey stated we have the wooded land along Butter Creek. When acquired the original owner dictated the shape of the lot, this will clean up the shape. There is also a field that is unused which becomes a maintenance

issue. The swap will also help the Powell's with their agricultural endeavor, which we always support and gives the Township access to the Butter Creek corridor which solves the problem on where a trail head could go. Mrs. Harper asked if we are certain the 25' access provides suitable ground for future use. Mr. Vey stated the easement goes along the hedge row to the woods. There was mention that there was an error noted, the site is to be served by public water and sewer. Mr. Vey stated the Resolution cleans that up listing that the site is served by on-lot water and septic. Mr. Irick noted there is no building proposed with this project and there is no net loss of open space. Mr. Stunk stated he likes the Township owned field. Mr. Vey asked Mr. Winkler if Public Works mows the field and how often. Mr. Winkler stated the field is mowed 2-3 times per year depending how wet it is. Mr. Helm stated the area the Powell's are willing to exchange is full of wildlife and he is glad it will be persevered for nature. There were no further comments at this time.

Mr. Mininger made a **MOTION** to approve **Resolution No. 2024-06**, granting Preliminary/Final approval, with conditions, for the application of Aaron Powell on Wright Road involving Milford Township open space preserved land. Mr. Haberle seconded the motion. Mr. Strunk voted nay. The motion passed.

Gold Street Properties (Biddle Tract), Preliminary Plan of Minor Subdivision, Krammes Road, TMP No. 23-010-012. Mr. William Benner of Benner and Wild, along with Bob Dandi of Gold Street Properties, and Mr. Bob Irick, of Irick, Eberhardt and Mientus, were in attendance to present the proposal. Mr. Benner stated the project was previously granted, by Resolution, final approval. Mr. Benner said the proposal is now a 2-lot subdivision. The change was initiated due to the Turnpike condemning a portion of the tract. The plan reflects compliance with the required regulations. Mr. Benner stated the proposal has received a favorable review from the Milford Township Planning Commission with conversation focused primarily on the Subdivision and Land Development Ordinance and road improvements. Mr. Benner stated Gold Street Properties is requesting Preliminary Plan approval at this time. The plans would need to be brought into compliance with the Pennoni review letter dated October 12, 2023 which include waiving improvements on Krammes Road, sidewalks, curbs, and the ownership and maintenance of open space. The intent is to add a conservation easement to the 2-lots which the property owner will maintain. A discussion was had regarding stormwater management. The prior plan proposed connection of underground storm sewer pipe, a more simplified proposal would be to have these separate and distinct, an NPDES permit would not be needed for this approach, the Bucks County Conservation District has endorsed this approach. Mr. Irick stated the conservation easement equals the open space requirement and the right-of-way is offered for dedication. Two houses are proposed with a backup septic system for each lot. A fee-in-lieu of required recreation land would be offered. The applicant is requesting sediment and erosion be deferred until the time of building permit application as the lots will be sold individually and they would like the flexibility on where the house is to be built. Mr. Irick stated the applicant is also offering a fee-in-lieu of roadway improvements. Mrs. Harper stated she has drafted a Resolution and presented a summary. The plans must be revised in accordance with the Pennoni review letter dated October 12, 2023, and the Bucks County review letter dated November 16, 2023. Mr. Benner stated the applicant needs action on the requested waivers. The Resolution states a fee-in-lieu of road improvements, dedication of the ultimate right of way, and prior to Final Plan approval the plans must be revised. It is noted the preliminary approval will expire in two years from the date of the Resolution if plans for final subdivision approval are not submitted. Mr. Benner stated he would like to add that the timing of the fee-in-lieu be made at the time of issuance of an occupancy permit. Mrs. Harper stated that can be discussed at time of Final Plan approval. Mr. Benner stated with the anticipation of Preliminary Plan approval the project now has status for being placed on the market. Mrs. Harper said her worry would be if half is assigned to lot 1 and half to lot 2, and lot 2 is shocked by the cost it could be a problem. Mr. Irick stated the fee-in-lieu could be added to the agreement of sale. Mr. Strunk noted there are six zoning issues and 11 SALDO issues and it is not ready for approval. Mr. Benner stated some of the SALDO issues are very minor and standard. Some of the comments Mr. Andersen has raised are due to the waivers that were just discussed and if plans were submitted that addressed these comments the basic configuration would not change. Mr. Benner stated here are no problems with the draft Resolution. Mrs. Harper said the waivers and timing of contribution would be worked out with final approval. Mrs. Harper noted the conservation easement doubles with the PPL easement and asked if that impacts any additional restrictions. Mr. Vey stated that would depend on where the trail goes, the intent is to access Township open space. Mr. Benner noted PLL does not own the land. Mr. Irick stated he will sit down with Mr. Vey to discuss the best trail location. Mr. Benner said it is his understanding that the plan would show a 20' wide easement with no obligation on the developer it would be an easement for future use. Mr. Mininger asked Mr. Strunk what he would like to see for preliminary approval. Mr. Strunk said he thought we were too far away to grant preliminary. Mr. Mininger asked Mr. Haberle what his thoughts were. Mr. Haberle noted the Township will have the opportunity on final to make any adjustments and doesn't know if there is anything he is waiting for on the preliminary side. Mr. Benner said the only thing that will be seen with final would be the stormwater management, easement, roadside swales, and driveway pipes. Mr. Mininger pointed out that the Pennoni review letter comments Z-2 states the open space is to be dedicated to Milford Township, not fee simple. Mrs. Harper said that land would have to be added to the lots subject to a Conservation Easement. The grantee of the conservation easement would be Milford Township. The conservation easement would

prevent further subdivision and structures within the easement. Mr. Benner added the only thing allowed in the conservation easement would be the trail easement. There was no further discussion.

Mr. Mininger made a **MOTION** to approve **Resolution No. 2024-07**, granting Preliminary Plan approval of a two-lot subdivision with conditions for Gold Street Properties, LLC, located on Krammes Road. The motion was seconded by Mr. Haberle and passed unanimously.

Milford Village, Section 1W-Stonewall Village Apartments, John Fries Highway, TMP No. 23-010-175-001. Mr. Del Markward and Mr. Marty Smith were in attendance. Mr. Smith distributed a revised waiver request letter dated January 2, 2024. The applicant is requesting Preliminary Plan approval for the Stonewall Village Apartment. Mr. Smith said discussions have been had with the Township a few times over the month and he would like to know where it stands. Mrs. Harper stated a draft Resolution was distributed December 5, 2023, and she is unsure it reflects all discussion. Number 8 talks about a traffic study being done on Mill Hill Road. Mr. Markward stated he does not know where that stands. Mr. Courduff stated Mr. Hiser agreed to the traffic study at a meeting, and it was up to the discretion of the Township when the study went forward. Mrs. Harper said it should be done now to see if final approval needs more. Mr. Markward stated he does not believe a study should be done at this time and has requested a waiver. Mrs. Harper noted the Traffic Engineers are pretty good at predicting the needs. Mr. Markward said they have already agreed to do the improvements and Old Bethlehem Pike is a mile from Cherry Blossom Drive and there will be no idea what traffic will look like until people start using it. It may be 4-years until we have a good sense of what traffic will look like. Mr. Courduff noted that the Township receives phone complaints regarding traffic on Mill Hill Road. Mr. Courduff stated the roundabout had something to do with the traffic on Mill Hill Road and we would have had no idea what was going on until the roundabout was complete. Mr. Hiser agreed to that. If there is no change or traffic gets worse than a traffic study should be done, not a full one. Mr. Markward said they are in favor of doing what makes sense. Mr. Mininger inquired as to waiver request 5, location of electric, telephone and communication facilities, which requires all electric, telephone and communication facilities to be underground. It is noted on the request letter that the site is currently served by overhead cables and this request is to allow portions of the project to be served by overhead cables. Mr. Smith noted underground cables will also be utilized in most areas. Mr. Mininger asked where specifically the over electric and telephone lines are located. Mr. Markward said on the other side of Mill Hill Court, the west side. The lines cross over where Mill Hill has been relocated to cover the east side of Mill Hill Road with a set of cables lines on their side. Mrs. Harper said prior to final approval the plans must be revised to address concerns made by the Fire Company, Bucks County Planning Commission, etc. Mr. Haberle noted a waiver is being requested for curbs on Mill Hill Court and the Township owns property halfway down and to not install sidewalks prevents future connection. Mr. Smith said a trail or sidewalk will attach from Mill Hill to the Township property. Mr. Vey stated there was discussion that it is easier to put a trail head on the east side. Mr. Haberle asked if there was any opposition to allow parking for a trail head on that side of the road, some degree of access maybe an easement. Mr. Markward stated he does not have a problem on the front of it, but engineering will need to be done. Mr. Mininger stated he has no opinion of the requested waiver of pipe materials or size and as far as the underground utilities, he does not have a problem with keeping the existing poles. Mr. Mininger said he is still undecided with street standards and curbs, and most of the traffic is going to be generated by the apartments. Mr. Markward said it will be a back door driveway for the apartments. They have agreed to overlay the road, a full overlay to make a cleaner road and install a walking trail which will be fully paved down to the cul-de-sac. Mr. Mininger asked Mr. Winkler his opinion on curbs. Mr. Winkler asked where the stormwater will be going. Mr. Smith replied to the storm basin. Mr. Vey said it seems like an oversized inlet is in the cul-de-sac. Mr. Winkler asked if it will be overlaid all the way from the court to the cul-de-sac. Mr. Markward said yes. Mr. Vey asked if all the water from the cul-de-sac and parking heads east. Mr. Smith replied to the two basins located on the plan. Mrs. Harper noted the waivers presented tonight are not included in the draft Resolution. Mrs. Harper asked the Board if a traffic study should be done. Mr. Markward stated they do not want to do it and Mr. Smith mentioned it was done with the Conditional Use for the Seventh Revised Master Plan, as required. Mr. Smith said any future studies will include Old Bethlehem Pike and Mill Road. Mrs. Harper asked if the latest revision date is on the plan. Mr. Smith said it has been drawn but not submitted yet. Mrs. Harper said the traffic study should be pulled and reviewed and it would not be voted on tonight. The plan was tabled.

Correspondence:

Bucks County Airport Authority Meeting Minutes. Mr. Mininger stated the Bucks County Airport Authority Meeting Minutes of November 8, 2023 are available for review.

Quakertown Area Planning Committee Meeting Minutes. Mr. Vey reported the Rotho Blaas Sketch Plan was discussed at the October 10, 2023 Quakertown Area Planning Committee Meeting. After discussing the proposal, it was decided that a review letter would be sent with the Bucks County Planning Commission comments related to the proposed use, existing

dwelling, transportation impact study, street improvements, recreation land facilities, registered landscape architect, screening, and sewage facilities. Additional comments about the lighting, refuse collection and stormwater management were to be added to the review.

Milford Township Water Authority Meeting Minutes. Mr. Vey reported the Milford Township Water Authority Meeting Minutes of November 14, 2023 report Trumbauersville Borough is finalizing the plan for interconnection at Well #3. Upon completion of the plan, it will be presented to the Board for review and comment.

Milford Trumbauersville Area Sewer Authority Meeting Minutes. Mr. Vey stated the Milford Trumbauersville Area Sewer Authority Meeting Minutes of November 20, 2023 discuss the update of the 537 Plan, the completion of the pad and driveway for the new building on Allentown Road, and receipt of revised plans for the Turnpike interchange. Pennoni has applied for a permit to work in the stream for the sewer main repair.

Reports:

Code Enforcement Departmental Report. Mr. Kravitsky presented the December 2023 Code Enforcement Report. A total of 16 permits were issued in December: 7 residential renovation permits, 1 residential accessory permit, 2 commercial permits, 5 zoning permits, and 1 single family dwelling. A total of 11 Use & Occupancy permits were issued and 11 fire inspections were performed. No Zoning Hearing Board applications were received.

Public Works Departmental Report. Mr. Winkler presented the December 2023 Departmental Report. The Public Works Department had a busy month cleaning up after storms. Weiss Road had to be closed twice and Walnut Lane was closed for two days due to poles falling in the roadway. The crew finished putting up snowplow stakes throughout the Township. Dead trees were removed from the right-of-way on Carvers Hill, Canary and Old Woods Road and ditches were cleaned on Fels Road.

Park Board Minutes. Mr. Vey presented the December 13, 2023 Park Board Meeting Minutes. The Board discussed the brush clearing at Fernbrook Park along with removal of trees that were hanging over the trail. The pavilion is scheduled for demolition in the spring. The Park Board discussed the splash pad and Ms. Gigova and Mr. Hertz met earlier in the month to discuss the butterfly garden. Further discussion will be had on the plantings and a timeline for working on the project. Field reservations will be discussed at the next meeting.

Milford Fire Company Report. Chief Butler presented the Milford Fire Company December 2023 Report. Chief Butler reported a total of 21 calls were received for the month, 361 for the year. The Special Service vehicle should be done and heading to get outfitted the end of the month. Chief Butler said he hopes to have the vehicle in service in March. The purchase of a new engine is moving forward. The State Grant and AFG grant are being worked on. Chief Butler said year-end reports should be distributed this week.

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

Manager Reports. Mr. Vey stated he has nothing new to report.

Escrow Release:

Chatham Creek, Millstone at Park Side, Foulkes Mill Road, TMP No. 23-010-145, Escrow Release Request #5. Mr. Andersen stated there aren't any issues preventing approval of the requested escrow release.

Mr. Mininger made a **MOTION** to approve the Chatham Creek, Millstone at Parkside Escrow Release #5 in the amount of \$822,099.90. Mr. Strunk seconded the motion. The motion passed unanimously.

Mr. Haberle submitted a letter to the Township regarding health insurance required by 1933 Act 69.

Mr. Mininger asked is there was an update on Foulkes Mill Road construction. Mr. Andersen stated the road is open to local traffic. There seems to be one problem after another. Some of the watermain had to be reconstructed. Some of our instructions have been misinterpreted regarding the sanitary sewer. Mr. Vey asked Mr. Winkler if we can access the road to plow. Mr. Winkler stated yes.

Adjourn:

With there being no further business Mr. Mininger made a motion to adjourn the regular scheduled meeting of the Board of Supervisors at 9:11 p.m. Mr. Strunk seconded the motion and the motion passed unanimously.

**Milford Township Board of Supervisors’
Minutes of February 6, 2024**

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

Attendance: Supervisors present: Charles Strunk, Chair; John Mininger, Vice Chair; and Christian Haberle, Member. Staff present: Jeff Vey, Manager; Devan Ambron, Assistant Manager/Secretary/Treasurer; David Winkler, Public Works Director; Gregg Kravitsky, Zoning Officer; Pete Andersen, Penonni Engineering; and Kate Harper, Timoney Knox.

Public Comment on Non-Agenda Items:

Mr. Glen Weiss of Scheetz Church Road stated the Zoning Hearing Board granted the requested relief to Mr. Willauer, 2000 John Fries Highway, in June of 2023. The relief was subject to 6 conditions with condition 4 being the upmost important. A stormwater plan is required to be submitted to Milford Township for review and approval by the Township and its professional engineer. The applicant is to comply with and satisfy any review comments or requirements of the Township relative to the Stormwater Plan, and therefore construct and install stormwater management controls and make other related improvements to the property to control stormwater substantially in accordance with the plans submitted. Mr. Weiss stated the Milford Township Planning Commission recommended approval the waiver of Land Development request on August 30, 2023 with the approval hinged on stormwater management. Mr. Weiss further stated the Township has inherited the obligation to ensure the basis of approval is met. Mr. Weiss said he is asking the Board of Supervisors to follow up and see that Mr. Willauer is held to the task of installing stormwater management controls. Mr. Kravitsky stated he spoke to Mr. Willauer on January 9, 2024 and he stated he has consulted a contractor and the construction of the stormwater controls should be installed late spring, early summer as it is more conducive for earth disturbance.

Mr. Robert McLain of Angstadt Road stated there is a lot of heavy equipment and construction taking place on private residential property at the intersection of Angstadt and Erdman Road. Mr. Kravitsky stated the property owner is building a pole barn which is permitted. Mr. McLain asked if Milford Township accepted any American Rescue Plan funds and if so if the Township is still using them. Mr. Vey stated yes, funds were accepted and are still being used and will be extinguished at the end of 2023. Mr. McLain stated he had sent information regarding Agenda 2030 and asked if the Board of Supervisors had reviewed it. Mr. Strunk stated he has not.

Mr. Robert Smith of Hill Crest Road stated Foulkes Mill Road was to be closed for 6-days and asked if there was any insight on to when the road would be opened as it is now months later. Mr. Andersen stated there has been a series of problems with the biggest conflict being the storm sewer. There is pending litigation with other properties, and he thinks the reopening could possibly be late spring. Mr. Smith said the Township has issues with the way it is designed, and the township residents have a problem not being able to use the road for the past 60 days. Mr. Vey stated no permits are currently being issued, once 15 permits were issued certain improvements were required to be completed. Mr. Smith asked if they could be fined for holding up the project. Mrs. Harper stated an easement is required from one property owner and that has not been obtained at this time, which is the cause of the delay. The road widening is to be done at one time and there are certain times of the year when paving can be done, and now is not one of those times. Mrs. Harper said by holding the permits we are telling them to get the road done. Mr. Smith said there are other areas where they pave throughout the winter and the road should be open. Mr. Andersen said the road is to be widened which requires the right-of-way and easements.

Approval of Minutes: Mr. Strunk made a **MOTION** to approval the December 5, 2023, January 2, 2024, and January 9, 2024 Minutes. The motion was seconded by Mr. Haberle 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 December 31, 2023. Mr. Haberle seconded the motion. The motion passed unanimously.

Mr. Vey reported the General Fund Account held at Univest Bank was compromised following the theft of a check. Mr. Vey stated authorization is needed to close the compromised account and open a new.

Mr. Strunk made a **MOTION** to authorize the closing of the General Fund account held at Univest Bank and the opening of a new account. Mr. Haberle seconded the motion. The motion passed unanimously.

Public Hearing: Intermunicipal Liquor License Transfer. Top Star Express, 2030 John Fires Highway, TMP No. 23-010-098. Mr. David Berger of Norris McLaughlin was in attendance to present on behalf of the applicant, Megan Cardine, Top-Star Express Inc. At this time Ms. Cardine was sworn in as a witness. Mrs. Harper marked into evidence T1-proof of publication of notice of hearing for an Intermunicipal Liquor License Transfer from G.W. Quigley LLC, 18 W. State Street, Doylestown to Top-Star Inc., 2030 John Fries Highway, Quakertown. Mr. Berger, attorney for applicant, stated the liquor license is a Bucks County license while not held in Milford Township. If the number of existing licenses in the receiving municipality exceeds one license per 3,000 inhabitants, then the applicant must acquire approval from the governing body of the receiving municipality. There are 4 other liquor licenses in the Township, and all are active and not for sale. That is why an Intermunicipal Liquor License Transfer has been requested. The applicant is looking to transfer the license to an existing convenience store and gas station in the district, with the intent to add convenience for take-out beer and wine. Wine requires a special permit. There are 7 other Top-Star locations with this license, this would be the 8th. The other locations have not received citations from the Liquor Control Board and have been operating quite well with no issues. There are 4 total licenses in Milford Township, limited distillery, a club, a golf course and a hotel. As part of the license there will not be any enlargement of the building only interior renovations. Two registers are required, one to sell items that are unlicensed and one strictly for alcohol. The business operates 7-days a week, Monday thru Saturday from 6:00 a.m. to 10:00 p.m. and Sunday from 7:00 a.m. to 10:00 p.m. Pursuant to the liquor code there is an hour Monday thru Saturday that alcohol cannot be sold, 6:00 a.m. Most beverages are stored in coolers that can be locked. On Sunday, alcohol cannot be sold until 9:00 a.m. There are 15 cameras located on site, 13 inside and 2 outside. The cameras cover the entire store including the registers. Instructions are provided to employees on responsible alcohol management. They learn to ID everyone. If anyone is visibly intoxicated or in a state, they are turned away. Mr. Berger stated the last thing to note, while we would love to restrict on premise consumption, we cannot by law. If someone wants to drink on premises, they cannot be turned away but can be limited to one beverage. Mr. Berger said the last point is in regard to the interior reconfiguration. The liquor code started allowing convenience and groceries to sell beer and wine. A license was not made for this use, an applicant would need to go out and purchase a restaurant license which requires on site seating and food for 30. Seating will need to be configured which is more of an annoyance than anything else as we will not see anyone utilizing the seating. There is no detriment on parking or traffic. Mr. Berger stated at this time he would like the witness to put on record that everything stated is true and correct. Ms. Cardine stated everything is true and correct. Mrs. Harper asked the Board if they had any questions. Hearing none, Mrs. Harper asked the public if they had any question, hearing none the hearing was closed at 7:28 p.m.

Mr. Strunk made a **MOTION** to approve **Resolution No. 2024-08**, Approving the request of Top-Star Inc. to transfer Liquor License No. R-15467. Mr. Haberle seconded the motion. The motion passed unanimously.

Proposed Zoning Ordinance Amendment. Section 404 B6.a.5. Performance Standard Subdivision and Section 529 Exceptions to Building Height. Mrs. Harper opened the hearing and marked exhibits T-1, legal advertisement, and T-2 copy of the proposed amendment. The hearing was closed and will be reopened on a date certain.

Mr. Strunk made a **MOTION** to postpone the Public Hearing for the Proposed Zoning Ordinance Amendment to March 5, 2024. The motion was seconded by Haberle and passed unanimously.

Subdivision/Land Development:

Celerity, Waiver of Land Development, 3500 AM Drive, 23-002-150. Mr. Gary Parzych and Mr. Brian Leight, owner of Celerity, were in attendance to present the requested Waiver of Land Development. Mr. Parzych stated the plan outlines the proposed addition. The plan was part of a previously approved Land Development Plan some years back. Mr. Leight is ready to move forward with the expansion as additional space is needed for inventory. Mr. Leight stated it has been 10-years since the building was constructed and since then business has doubled and they are out of space for warehousing. Mr. Andersen stated this is more of a question for the solicitor. The plan was approved in 2009 and showed the proposed addition as a future expansion. The approved plan took into account the impervious surface and stormwater. Mrs. Harper said to summarize, the plan proposing the improvement was previously approved and it is appropriate to grant a waiver of land development. Mrs. Harper stated per documentation it appears required funds have been received as well.

Mr. Strunk made a **MOTION** to approve the Waiver of Land Development for Celerity, 3500 AM Drive, TMP No. 23-002-150. The motion was seconded by Mr. Haberle and passed unanimously.

Fornwalt Tract, Preliminary Plan of Minor Subdivision, 2030 Bleam Road, TMP No. 23-010-103. Ms. Estelle Eberhardt of Irick, Eberhardt, & Mientus, Inc. was in attendance to present the proposed Minor Subdivision. The applicant proposes to subdivide the parcel into two lots. Lot one being approximately 10.2 acres containing the existing dwelling and accessory structures. Lot two is proposed to be approximately 5.8 acres and would be improved with a single-family dwelling and garage. Both lots are served by on lot wells and septic. Ms. Eberhardt stated she is in receipt of the Pennoni review letter dated January 11, 2024 and Bucks County Planning Commission review letter dated January 19, 2024. The comments found in both review letters are will comply. The applicant has requested several waivers. Mrs. Eberhardt stated the Milford Township Planning Commission recommended approval of the plan and requested waivers at last week's meeting. Mrs. Harper noted she provided Ms. Eberhardt with a draft Resolution to review which calls for deed restriction and a conservation easement. Mr. Strunk stated a Bog Turtle study was done and requested a copy of the study. Ms. Eberhardt stated they will supply the study. A discussion was had regarding the requested waiver from SALDO Section 511.a.1, which requires an erosion and sedimentation and control plan be approved by the Bucks County Conservation District and funded prior to Plan approval. Ms. Eberhardt stated a waiver is requested to defer submission to the Conservation District at building permit time. Mr. Andersen noted this is to avoid an NPDES permit. Disturbance will be separated between the lots which results in less than an acre of disturbance. Approval will still be needed for soil and erosion. Mr. Andersen stated he has no objections to the waiver request. A waiver is also requested from SALDO Section 701.c & 701.e, which requires the submission of a Site Context Map and an Existing Resource and Site Analysis Plan. Mr. Mininger asked if there were any other waivers being requested. Mrs. Harper noted waivers are requested from the requirement to install curbs, sidewalks, street trees, cartway widening, and the addition of submission of a Site Context Map and Existing Resources and Site Analysis Plan, and the deferment of submission of the erosion and sediment and control plan to the Bucks County Conservation District until building permit time. Ms. Eberhardt stated the applicant is agreeable to traffic impact fees, park and recreation fees, a conservation easement, and deed restriction of the property. Mrs. Harper will amend the Resolution to include the addition of SALDO Section 701.c and 701.e, and Section 511.a.1.

Mr. Haberle made a **MOTION** to approve **Resolution No. 2024-09** as amended, granting Preliminary/Final Plan Approval of the Minor Subdivision located at 2030 Bleam Road, TMP No. 23-010-103. The motion was seconded by Mr. Strunk and passed unanimously.

Lot 4 Milford Industrial Commons, 400 Commerce Drive, TMP No. 23-010-168-004 & 23-010-168-008.

Preliminary Plan of Reverse Subdivision. Mr. Vey stated the site is located in the Arterial Corridor Overlay District which requires Conditional Use approval. More problematic is there is a subdivision like regulation in the Zoning Ordinance regarding width or driveways, which is measured at the street line. The belief is it already exceeds the permitted width, and a Special Exception from the Zoning Hearing Board will be needed. Mr. Andersen noted the ordinance is outdated. There are bigger trucks today trying to maneuver around these intersections that are too small. If it is felt the regulations are inappropriate there should be a change to the ordinance and the regulation be referenced in the Subdivision Land Development Ordinance. Mr. Andersen noted that a separate plan and application is necessary for a reverse subdivision which can run concurrent with the proposed Land Development Plan. The proposal was tabled at this time.

Milford Village, Section 1W-Stonewall Village Apartments, John Fries Highway, TMP No. 23-010-175-001. 262 apartments with improvements. The Milford Village Stonewall Village Apartment proposal was tabled.

Moyer Milford Square, Preliminary Plan of Subdivision, 2060 Allentown Road, TMP No. 23-010-081. 3-Lot subdivision in the VC-2 Zoning District. The Moyer Milford Square proposal was tabled.

Other Business:

2024 Board of Elected Auditors Memo. Mr. Vey reported the Elected Board of Auditors met on January 4, 2024 to set the compensation for working Supervisors. The compensation was set at \$26.00 per hour, which represents a 3% increase.

Red Hill Band Contract. Mr. Vey presented the contract for the Red Hill Band to perform as part of the Concerts in the Park series. There is no compensation for the appearance.

Mr. Strunk made a **MOTION** to approve the Red Hill Band 2024 Contract. The motion was seconded by Mr. Haberle and passed unanimously.

Correspondence:

Plumstead Township Fire Police Assistance Request. A request has been received from Plumstead Township for Fire Police units for the Plumsteadville Volunteer Fire Company Blaze of Glory Run on Saturday, March 23, 2024.

Mr. Haberle made a **MOTION** to approve the request for Fire Police Assistance at the Plumsteadville Volunteer Fire Company Blaze of Glory Rub being held on Saturday, March 23, 2024. Mr. Strunk seconded the motion. The motion passed unanimously.

Bucks County Airport Authority Meeting Minutes. Mr. Mininger stated there is nothing new to report and the December 13, 2023 Meeting Minutes of the Bucks County Airport Authority are available for review.

Quakertown Area Planning Committee Minutes. Mr. Vey presented the December 12, 2023 Quakertown Area Planning Committee Meeting Minutes. Discussed at the meeting was the Powell Preliminary Plan of Subdivision with a recommendation to endorse the Bucks County Planning Commission review. The Conditional Use Application of Roto Blaas was discussed along with a Sketch Plan of Land Development for VVRichland, LLC, for a proposed Flex Building Use.

Milford Township Water Authority Meeting Minutes. Mr. Vey reported the December 12, 2023 Minutes of the Milford Township Water Authority discuss routine business and financials. The minutes are available for review.

Milford Trumbauersville Area Sewer Authority Meeting Minutes. Mr. Vey stated the Milford Trumbauersville Area Sewer Authority Meeting Minutes of December 8, 2023 report the pad for the generator on Allentown Road has been installed. There was discussion on moving towards the updating of the 537 Plan.

Reports:

Code Enforcement Departmental Report. Mr. Kravitsky presented the January 2024 Report. A total of 30 permits were issued in January: 12 residential renovation permits, 2 residential accessory permits, 2 commercial permits, 6 zoning permits, and 8 single family dwellings. A total of 6 Use & Occupancy permits were issued and 12 fire inspections were performed. No Zoning Hearing Board applications were received.

Public Works Departmental Report. Mr. Winkler presented the Public Works January 2024 Departmental Report. Mr. Winkler stated the Public Works Department was kept busy with clean up after storms with high winds. Four roads were closed because of downed wires and snapped poles. A gate was installed across Mill Road at the intersection of Hillcrest with an opening being left so walkers and bicycles can get through. Ditches were cleaned on Esten Road and below the basin on Sleepy Hollow Road. Salt was delivered from Cargill and the salt shed is full. The crew was out nine times to salt and one time to plow this month.

Agricultural Security Area Meeting Minutes. Mr. Vey presented the January 17, 2024 Agricultural Security Area Advisory Committee Meeting Minutes. A discussion was had on the benefits of the County AG Preservation programs, such as DCNR and C2P2. Also discussed was the development of more specific language via a township ordinance regarding agritainment. The ordinance would create a use category for agritainment uses such as farm stands, wedding venues, pumpkin patches, corn-mazes and the like. Discussion continued on Ag Leases for township owned open space. Length of leases and costs will be discussed. It was noted that deer management should follow the current PA Game Commissions rules and regulations.

Trumbauersville Fire Company Report. The Trumbauersville January 2024 Report and 2023 Year in Review Report is available for review.

Milford Fire Company Report. Chief Butler presented the January 2024 Milford Fire Company Report. A total of 31 calls were received. The County is 20-30% back up and running. Grants continue to be worked on and the new gear should be in soon. The Fire Company is looking to add new procedures for water and aircraft emergencies. The Fire Company is looking to update current pre plans for the township businesses. Chief Butler reported the year end reports have been distributed.

Manager Report. Mr. Vey stated in speaking with Mr. Andersen the watermain extension on Allentown Road is moving towards planning and a conversation has taken place with PennDOT regarding permitting.

Escrow Release:

Chatham Creek, Millstone at Park Side, Foulkes Mill Road, TMP No. 23-010-145, Escrow Release #6. Mr. Andersen stated he sees no issues preventing approval of the requested escrow release.

Mr. Strunk made a **MOTION** to approve the Chatham Creek, Millstone at Parkside Escrow Release #6 in the amount of \$14,040.00. Mr. Haberle seconded the motion. The motion passed unanimously.

Rotenberger Subdivision, Milford Square Pike, TMP No. 23-010-172, Final Escrow Release.

Mr. Strunk made a **MOTION** to approve the final escrow release for the Rotenberger Subdivision, TMP No. 23-010-172. The motion was seconded by Mr. Haberle and passed unanimously.

Adjournment: With there being no further business Mr. Strunk made a **MOTION** to adjourn the meeting of February 6, 2024 at 8:10 p.m. The motion was seconded by Mr. Haberle and passed unanimously.

Executive Session: At this time the Board of Supervisors met in executive session to discuss litigation.

**Milford Township Board of Supervisors’
Work Session Meeting Minutes
February 13, 2024 - 8:00 am**

Call to Order: Chairman Charles Strunk called the meeting to order at 8:04 a.m.

Attendance: Supervisors present: Charles Strunk, Chair; John Mininger, Vice Chair; and Christian Haberle, Member. Staff present: Jeff Vey, Manager; Devan Ambron, Assistant Manager/Secretary/Treasurer; and Kate Harper, Timoney Knox.

Land Development:

Milford Village, Section 1W-Stonewall Village Apartments, John Fries Highway, TMP No. 23-010-175-001. Mr. Vey stated this meeting is to resolve outstanding issues, such as traffic impact fees and recreation fees that are due at the time of building permit issuance. Traffic fees relate to other traffic improvements that are done off site. Discussed was Mill Hill Road curbing down to the southern access to Mill Hill court on the eastern side, with no curbing on the cul-de-sac, with inlets to get as much water into the basin as possible. Mr. Del Markward noted Mr. John Snyder, Mr. Jim Preston, and Mr. Roger Hiser were present. This proposal is a component of the Master Plan, which is a separate entity. Mr. Preston stated LifeQuest has already done an exuberant amount of traffic improvements and has provided recreation and open space. Trails have been installed for the project and he is looking for a little more understanding on what the Township is looking for. Mr. Snyder stated the requirements of the AMU ordinance have been met and as far as traffic improvements, he is unsure what is happening. The perimeter of the site and internal roads are built. Mrs. Harper said the Townships concern is Mill Hill Road, adjacent to the development. The Master Plan deals with the arterial overlay, this development effects Mill Hill Road. Mr. Smith stated plans have been drawn for the added improvements, curbs, and trail access. Mrs. Harper said a traffic study was asked for, for Mill Hill Road. Once the roundabout was complete a traffic study was to be performed. Mr. Vey stated that has been resolved and we are looking at what traffic improvements are needed once the apartments are in. Mr. Mininger stated that is correct, we are not looking for a traffic study at this time. Mr. Vey stated what we are looking for now is the interplay, contributions towards traffic and the improvements that are being done. Mr. Haberle agreed, a traffic study is not warranted at this time. Mr. Haberle stated there is certain work that should be done, curbing, sidewalks and road widening. Mr. Strunk stated when the apartments are built a lot of traffic will be thrown on Mill Hill, Old Bethlehem and Pumping Station and the intersection will be severely affected. Mr. Vey moved the discussion onto Mill Hill Court. Mr. Vey noted he was out with the Public Works Director who feels there should be no curbing installed on the apartment side of Mill Hill and stormwater could be handled with a vegetative swale. With improvements centered on Mill Hill Court that would end up with 20’ wide cartway with 4’ of milling on each side. The roadway should be milled to a depth of 1’. The tradeoff being that curbing and inlets aren’t needed. To control water at the cul-de-sac a depression curb would be installed at the Nye driveway. Mr. Vey stated that is to be left to the engineers to ensure we don’t create a water problem. It was noticed there are trees marked in that area. Mr. Vey asked if there was a way to accommodate 6 parking spaces for the future trail head without taking down healthy trees. With no curbs on that side, it should be straight forward. Mr. Mininger stated one of the biggest wants was curbing and he is willing to relook at that want with the Road Masters recommendations. Mr. Smith said he did an option with curbs and drainage along Mill Hill on the apartment side. If a swale is wanted it is a different design with grading and clearing of trees. Mr. Markward said he was told by Mr. Andersen that the preferred way was to pave their side of the road leaving the other side unfinished. Mr. Vey said there would be drop and the old road has cracking and a trench. Mr. Smith said the waterline trench would be rebuilt. Mr. Smith presented a revised plan showing roadway, parking, curbing, and inlets along Mill Hill Court to tie into the stormwater system. Mr. Markward noted the revised plan is a result of a request made by the Board of Supervisors. Mr. Vey stated the intent is to have a road that is not patchworked. Mr. Markward noted a year and half ago that is what Mr. Andersen said the Township wanted. This half width and curbing just came up within the last month or 2 and he does not think it best to do it this way. The road is essentially a driveway, it is a public road and to overlay would be an improvement and without curbing trail head parking would be easier to accommodate. He does not like the idea of having the other side not paved. Mr. Vey stated it could work either way. The tradeoff is to have a road that will last into the future. Mr. Smith said he can look at doing a swale along the road. The revised plan was drawn with curbing and widening to 12’ half width with a trail shown in place of a sidewalk to connect to township property for a future trail. Mr. Vey asked if trail head parking is adjacent to the cul-de-sac. Mr. Smith stated yes, with this initial concept. This uses the least amount of impervious to accommodate the parking. Mr. Markward suggested they do what the Roadmaster recommends, overlay, no curbing and trail parking, with curbing down at the cul-de-sac. Mr. Haberle stated he is good with following Mr. Winkler’s recommendations and the only question he has is, overlay the whole road and add subbase for width and swale? Mr. Vey stated the width is inconsistent and one thing with

curbs is edge protection, there is less concern with having open sections. Mrs. Harper said if okay with the swale approach and overlay the best thing to do to memorialize would be for Mr. Smith to draw a plan. Mr. Smith stated he will meet with Mr. Vey and Mr. Winkler to draw up a plan and asked if that counts as required road improvement or is there a need to ask for a waiver for curb. Mr. Vey stated his impression is in recognition of Mill Hill Court there be no traffic impact fee. It is attached to a residential development and the bottom line is there would be no traffic impact contributions as capital improvements are being done. Mr. Mininger stated he would be okay with that, leaving on the table the intersection of Mill Hill and Old Bethlehem Pike when retail goes in. Mr. Strunk stated he would like to see contributions to that intersection made now as a lot of traffic will be thrown out there. Mr. Markward said that ties in with what LifeQuest has already spent and he would have to defer that to LifeQuest. Mr. Hiser stated he has already spent over 15 million on road improvements, walk trails, traffic studies, and Old Bethlehem Pike is a mile away from the site. He is not willing to agree to anything at this point. Mr. Haberle asked Mr. Strunk what he is looking for, the work on Mill Hill Court is a reasonable use of the traffic impact fee and he is okay putting the fees to where the traffic is and where the roadwork is being done. Mr. Vey stated this would be a traffic impact contribution in lieu of contributions. Mr. Mininger stated that is correct. Mr. Vey stated a traffic impact study will not be required for the apartments but we will look for consideration when subsequent development comes in. Mr. Markward said they will not be doing any more traffic improvements with this project. Mr. Mininger asked Mr. Markward, when you say no more road improvements, not referring to Mill Hill Court. Mr. Markward said he is referring to the intersection of Mill Hill Road and Old Bethlehem Pike. There is difficulty to go a mile down the street to do improvements. If the intersection is failing in the future, then it has to be looked at by all. Mr. Strunk said essentially you are saying 262 apartments won't go up Mill Hill to Old Bethlehem, they will all use Portzer Road. Mr. Markward say no, have to look at in the future, it is unknown at this time. Currently there isn't much traffic going through there with the roundabout being open. Mr. Markward noted he doesn't know if a traffic study will ever be necessary. Mr. Vey moved the discussion onto recreation requirements which are to be oriented to the public. Putting in a pool seems to not satisfy the language in SALDO. Mr. Markward stated the pool and recreation area does not satisfy as it is for the 262 apartments and not intended for public use. The walking trails and open space throughout the site covers the fee for this project. Mr. Snyder added in 2010 when the plan was approved, there was 50% open space and facilities intended for the community. The decision complied with the ordinance. The development was an overall 200+ acres and his standpoint is they have complied with Section 525 and do not need to provide more land or a fee-in-lieu. Mr. Mininger said what he is hearing is if the development provides enough open space that then counts for recreation fees. Mr. Snyder said the fee is in lieu of providing that land. If you provide land, there is no fee and in the 2010 decision, the whole project determined what was needed and has specific provisions of compliance with SALDO. Mrs. Harper pointed out the hospital installed trails for township residents with exercise equipment. Mr. Vey said compared to 525.b.2 there is a difference between open space and recreation land and facilities. The hospital provided recreation facilities and the land under it. This should be revisited to see where we are at. Mr. Snyder said we are past that, this has been done in 2010 and does not get reopened, wanting something different now doesn't change the decision. Mr. Snyder added this is not like a subdivision, this is a project that requires a Master Plan. Mr. Snyder noted the condition can be found in paragraph 8 on page 14 of the June 2010 Conditional Use Hearing Decision. Mrs. Harper asked if the parking at the trail head was discussed as recreation land. Mr. Hiser stated this is not a LifeQuest issue it is a development issue. Mrs. Harper said the site capacity is on the whole site and if the trail and related parking is offered, she would say it complies with SALDO 525. Mr. Smith said they are willing to install the trail along Mill Hill Court and 5 or 6 parking spaces. Mrs. Harper asked if it was too much to put the trail on the plan. Mr. Smith said the layout has been done with the current design. Mr. Haberle said he wants to see what was written and agreed on and he is in favor of no fee if we get a trail and parking. Mr. Mininger agreed, he would like to see what was agreed to and whatever the fee happens to be the trail will count. Mr. Preston said the trail and parking is being offered from the point of view that there will be no outstanding recreation fees. Mr. Vey said the Supervisors want to look at the 2010 decision language and consider it against Section 525. This is a specific plan for apartments with an agreed upon direction for Mill Hill Court. We may want to consider another work session in 1-week prior to the March meeting. Mr. Smith stated he will be getting the plan together to provide to the township. Mrs. Harper said the resolution will need to be revised once the plan is received. There was no further discussion at this time.

Adjournment: With there being no further business Mr. Haberle made a **MOTION** to adjourn the meeting of February 13, 2024 at 9:17 a.m. The motion was seconded by Mr. Mininger and passed unanimously.