

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

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**Call to Order:** Chairman 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; Pete Andersen, Pennoni, and Kate Harper, Timoney Knox.

**Approval of Minutes:** Mr. Mininger made a **MOTION** to approve the June 25, 2024; July 2, 2024; and July 16, 2024 Meeting Minutes as presented. Mr. Haberle 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 June 2024. The motion was seconded by Mr. Haberle and passed unanimously.

**Zoning Hearing Board:** Mr. Vey reported the Zoning Hearing Board will meet on August 13, 2024 to hear the applications of Heidi and Tim Johnson for a Special Exception from Section 808. Change in nonconforming use for an accessory apartment for the property located at 2239 Milford Square Pike, TMP No. 23-013-008-001 and Leslie and Linda Rice for a Variance from Section 404.A1.d 100’ setback for a structure that will house livestock, for the property located at 2401 Allentown Road, TMP No. 23-013-008-001.

**Public Hearing:**

**Conditional Use, Four Hundred Commerce Drive Associates LP, 400 Commerce Drive, TMP No. 23-010-168-004.** Mrs. Harper stated the hearing was opened last month and continued to a date certain. The applicant is required to obtain Conditional Use approval for a G1. Manufacturing Use as the parcel is located in the Arterial Corridor Overlay District in the industrial park. Mr. William Benner of Benner and Wild, Mr. Andrew Schlosser, Project Engineer and Mr. Mark Schlosser were in attendance to present the proposal. Mr. Andrew Schlosser was sworn in to provide expert testimony. Mr. Schlosser gave a history of the property. The lot was split in two in the mid 90’s when First Bank of Perkasio wanted to purchase the corner lot. The lot was developed as lot 4 and Milford Industrial Commons retained ownership of the empty lot. Milford Industrial Commons has since purchased the site. The bank was taken down to avoid a public nuisance. The property exists now as they had for 20-30 years. The intent is to reunite the two lots into one lot with a 30,000 square foot building with improvements. Mr. Schlosser stated the building is intended to be occupied with a G1. Manufacturing use that will be compliant with zoning. Mr. Schlosser noted this lot is the gateway into the park and this will set the standard for the park and there is long standing on how facilities are maintained. The proposed development plan was presented. It was noted the plan shows compliance with zoning regulations, except for the curb cut for which a variance was issued. Apart from a few routine SALDO waiver requests, the intent is to satisfy the ordinance. Mr. Benner noted Conditional Use approval is needed only for the fact that the property lies in the Arterial Overlay District. Mr. Schlosser stated no protected natural resource features are present, and the manufacturing use will be suitable regarding highway traffic and safety. Renderings of the proposal were presented. A separate entrance is provided that could be used for a second user if needed. Mrs. Harper stated if the use is changed to other than a G1 use the applicant will have to come back. Mrs. Harper asked if there is a direct entrance onto the site from 663 to which Mr. Schlosser stated no, access is taken off Commerce Drive. Mrs. Harper asked if there would be any issues of adequate access without creating a hazardous condition. Mr. Schlosser stated they will be utilizing a driveway that exists and widening the second driveway to make it more accessible and safer. Neither Mr. Stunk nor Mr. Mininger had any further questions. Mr. Haberle asked if the process for approving Land Development is a single process or a 2-step process. Mr. Andersen stated it is a 2-step process, conditional use approval then land development. Mrs. Harper asked if anyone in the audience had any questions or comments. None were heard. Mrs. Harper closed the hearing. Mrs. Harper stated the Board has a few options, an approval can be granted based on testimony and exhibits presented or wait for written hearing transcripts. Mrs. Harper asked if there were any conditions other than what was discussed. There were none heard. Mr. Benner granted a waiver of finding of facts and conclusion of law.

Mr. Mininger made a **MOTION** to grant Conditional Use approval based on testimony and exhibits presented for the application of Four Hundred Commerce Drive Associates LP, for the property located at 400 Commerce Drive, TMP No. 23-010-168-004. Mr. Haberle seconded the motion. The motion passed unanimously.

**Subdivision/Land Development:**

**Faith Christian Academy, 2255 Allentown Road, TMP No. 23-010-112-001.** Mr. Scott Mease of Mease Engineering was in attendance to present a Waiver of Land Development request for Faith Christian Academy located on Allentown Road. Mr. Mease said the applicant was before the Board in March of 2023 with traffic issues, traffic backing up on Allentown Road with passing cars creating a safety hazard. The Board expedited an approval to add an addition to the parking lot to elevate the back up on Allentown Road. A stone parking area was added at that time. Faith Christian is looking to construct a parking lot addition, stormwater management BMP for the parking lot addition, and regrading two existing athletic fields. The NPDES permit has been amended to include the proposed. Mr. Mease stated Faith Christian is looking to complete mitigation that was needed to correct the traffic and safety problems on Allentown Road. Mr. Mininger asked if nothing is being built then why is this land development. Mr. Mease stated they are adding a parking lot that was approved as stone and now is being paved with the addition of a basin. Mr. Vey said he does not think this alone is land development but with previous land development and this change, it is important to document impervious surface and stormwater. This proposal is largely in response to mitigate the problems on Allentown Road. Mr. Andersen stated he was out in the field to observe, and the stormwater is being handled.

Mr. Mininger made a **MOTION** to approve the Waiver of Land Development request for Faith Christian Academy, 2255 Allentown Road, TMP No. 23-010-112-001, for the construction of a parking lot addition, stormwater BMP's and the regrading of two athletic fields. The motion was seconded by Mr. Haberle and passed unanimously.

### **Other Business:**

**Rotho Blaas, USA Inc., 2075 Rosenberger Road, TMP No. 23-010-073.** Proposed Traffic Improvements. Mr. Hanas Blaas, Rotho Blaas, USA Inc., was in attendance to present the proposed traffic improvements. The proposal is to satisfy Condition 2 of the approved Conditional Use Order, the applicant shall resolve the traffic impact on the Rt. 663 intersections with Rosenberger Road and Quaker Pointe Drive/Weiss Road. The impact of truck turning movements shall be detailed to avoid their degradation of through traffic capacity on Rt. 663. Mr. Blaas distributed the proposed traffic contribution plan. Mr. Blaas stated there will be minimum traffic impact as the building is mainly for administrative personnel and engineers with an expected 2-3 tractor trailers per day. Rotho Blaas has offered to evaluate and if necessary, reconstruct and widen Rosenberger Road from 663 to the already improved portion of the road 5-years after occupancy; Improve the turning radius to Quaker Pointe Drive to Rosenberger Road 5-years after occupancy; and make an immediate contribution in the amount of \$250,000 to the township for improving the Rt. 663/Quaker Pointe Drive intersection. A picture of the proposed design was distributed. Mr. Blaas stated he is looking to obtain confirmation that this plan complies with the Conditional Use requirements. Mr. Strunk stated he questions whether future improvements will be done and done properly without a cash escrow and asked what guarantee the township has. Mrs. Harper explained public improvements get escrowed to make sure they get done, and the township has the funds in the bank to ensure they do. The township normally requires funds to be secured in advance. Mr. Blaas stated if the improvement would have to be done right away that would be a significant investment and they are not ready to take that on right now. Mr. Andersen stated the township is not asking for the work to be done right now, a letter of credit could be submitted, and the work completed in 5-years. Mrs. Harper asked if the applicant is looking to make a contribution rather than do the work. Mrs. Harper stated this worries her because the improvements, turning radius, are needed to use the site. Mr. Andersen stated there is minimal side traffic on Rosenberger Road and he feels the road would survive and if it should fail, they would have to improve before 5 years. Mr. Blaas noted as stated the contribution would be for 663 and Quaker Point Drive. Mr. Blaas said this proposed solution is different from a deceleration lane from 663 to Rosenberger Road and would be used 2-3 times a day for 20-30 seconds and the issue at 663/Quaker Pointe is existing with Interstate Battery having trucks in and out all day, it is a 10-2 ratio. Mr. Blaas stated their business model is not based on moving goods and feels a contribution would go further as it could be invested to address the improvement of 663 and Quaker Point Drive instead of a deceleration lane. Mr. Mininger stated the township was looking at a deceleration lane and they haven't had long to digest the implications that could occur with this proposal to which Mr. Haberle agreed. Mr. Haberle said he agrees with Mr. Strunks comment and funds would need to be solidified. Mr. Blaas stated it is important for them to move forward and they can also walk out and not do a deceleration lane. The existing problem is not being addressed and Rotho Blaas can invest in one or the other but not both. Mr. Strunk suggested the applicant discuss with Mr. Andersen and come back with a proposal as engineering cannot be done in a public meeting. Mrs. Harper asked if Rotho Blaas was the equitable owner of the site to which Mr. Blaas replied yes. Mrs. Harper said she has two questions, is Rotho Blaas proposing to make contributions instead of doing the improvements. Mr. Blaas stated yes, Rt. 663 and Quaker Pointe Drive and Rosenberger Road 5-years from now. Two of the proposed will be done, not all three. In 2021 Quakertown Logistics contributed \$92,000 for improvements and they received approval. Mr. Blaas asked why a smaller development is up against a higher level

of scrutiny. Mr. Vey stated there are geometric problems. Two months ago, we were looking at alternatives to keep capital costs down. Mr. Vey noted the deceleration lane at Caitlyn & Cody's works. There is a problem at Rosenberger with two lanes that pinch to one lane which impedes the traffic flow. Everything should be focused for a right in. PennDOT does not have objects with the Langan Plan which proposes a deceleration lane that dies into Rosenberger Road. Discussions were had of a left arrow at Quaker Pointe Drive with the stop bar being moved back. Mr. Vey said what is directly affecting the site is rights in and lefts in at the Quaker Pointe intersection. Traffic leaving the proposed site will also be directed to the Quaker Pointe intersection. Mr. Winkler said with the stop bar moved back vehicles will still pull up and trucks won't be able to make the turn if a car is there. Mr. Haberle said when the proposal is looked at there is a path to make it work and he doesn't disagree it is taking longer than anticipated, however; a proposal is needed not to just define the contribution, it could be a deceleration lane tied to the general site area instead of calling out one intersection. If the township has to do the work the costs are different, and a proposal is needed that matches the costs. There are three ways to get into the site and we need to figure the best way. Mr. Haberle said he would be amenable to a letter of credit and the timeframe of having such prior to occupancy as mentioned. This should be put together and sent to everyone prior to a vote. Mr. Haberle noted he does not have an issue with the architectural rendering to which Mr. Mininger agreed. Mrs. Harper said the board wants to know the condition can be satisfied regarding traffic improvements. Mr. Blaas said every meeting there is another thing that comes up. Mr. Vey noted there are two turning radius that have come up, from 663 onto Rosenberger and Rosenberger onto 663 along with a deceleration lane. All other turning radius are not something that Rotho Blaas is involved with. The cost of trying to do the geometry is very high with signals, control cabinets and such. There are pieces of properties that need to be bought. Mr. Vey stated Interchange Way was offered as an option when trying to explore alternate possibilities. A right into Rosenberger Road is the proposal. The simplest is direct access that can carry a lane through. The farm stand across the road did improvements against the Langan Plan. Everything has been pointed to minimize capital investments. With a 5-year security for a stretch of road that may fail or may not, it may be good to find triggers that make the improvement necessary. Mr. John Ciliberto asked if the applicant is sticking with Quaker Pointe Drive improvements or Rosenberger/663 and if the contribution will go to 663 or Rosenberger and if any guidance can be given as to the next step. Mr. Mininger said the contribution would go to Quaker Pointe. Mr. Haberle said he does think the dollars are close and it has to be decided what is best to benefit the township. There is still a letter of credit that will be needed which will need some degree of time. Between locking into a specific location and no guarantee to design he is not okay saying what is written here today is good, there are too many unopened questions. A proposal will need to be written and reviewed. Mr. Blaas stated the deceleration lane and right turning radius would cost a little north of \$200,000 and they could invest into a deceleration lane. If the Board wants a deceleration lane it will cost them less, they just need clarification. Mr. Strunk noted the traffic engineer should be the one that decides, and the proposal needs to be designed and reviewed. Mr. Vey noted time is of the essence and asked if the Board would be prepared to make a decision at the second meeting of the month. Mr. Vey further stated the proposal has been narrowed down to contribution and the pieces we already have. Mr. Haberle stated the plan should be in hand the week before the meeting not in hand the day of. Mr. John Ciliberto stated it is still not clear on what is wanted, capital contribution or the work ahead of time to fix the problem. Mrs. Harper stated that has not been decided and the Board must decide what works, what gets the trucks in and out of site safely. Mr. Haberle stated the applicant has a path forward, contribution to cover Rosenberger Road, right in lane or contribution or actual work that goes elsewhere to fix existing problems. Mr. Mininger asked, if the decision is a deceleration lane, would Rotho Blaas have that done to which Mr. Blaas replied yes, if the investment would be the same money more or less, they would focus of that intersection, not Quaker Pointe Drive. Mr. Mininger noted the original proposal was a deceleration lane on 663, Rosenberger Road improvements, and minor changes to Quaker Pointe Drive. Mr. Blaas said they would be ready to do 663/Rosenberger Road, Quaker Pointe to 663 and would want the other company to invest in the intersection as well. Mr. Vey stated there was a discussion of widening Quaker Pointe and 663 and anything that is a physical capital improvement is not the responsibility of Rotho Blaas. It appears a deceleration lane will get trucks to the facility and out of the problem intersection. There was no further discussion at this time. Mr. Vey stated the Rotho Blaas traffic improvement proposal will be placed on the August 20, 2024 Board of Supervisors Meeting Agenda which will take place at 3:00 p.m. with an updated plan submitted a week prior.

### **Correspondence:**

**East Greenville Borough Fire Police Assistance Request.** A request has been received from East Greenville Borough requesting Fire Police assistance at the Upper Perk Valley Halloween Parade taking place on Sunday, October 27, 2024.

Mr. Mininger made a **MOTION** to approve Fire Police assistance for the Upper Perk Valley Halloween Parade taking place on Sunday, October 27, 2024. Mr. Haberle seconded the motion. The motion passed unanimously.

**Bucks County Airport Authority Meeting Minutes.** Mr. Mininger reported the apron project has been completed.

**Quakertown Area Planning Committee Meeting Minutes.** Mr. Strunk stated the minutes of the June 11, 2024 QAPC meeting area available for review.

**Milford Township Water Authority Meeting Minutes.** Mr. Strunk stated the minutes from the June 11, 2024 Milford Township Water Authority are available for review.

**Milford Trumbauersville Area Sewer Authority Meeting Minutes.** Mr. Strunk stated the meeting minutes from the June 17, 2024 Milford Trumbauersville Area Sewer Authority are available for review.

### **Reports:**

**Code Enforcement Departmental Report.** Mr. Kravitsky presented the June 2024 Report. A total of 19 permits were issued in June: 12 residential renovation permits, 1 commercial permit, 4 zoning permits, and 2 residential accessory permits. A total of 14 Use & Occupancy permits were issued and 8 fire inspections were performed. Two Zoning Hearing Board applications were received.

**Public Works Departmental Report.** Mr. Winkler presented the June 2024 Report. Mr. Winkler stated the Public Works Department spent most of the month on the splash pad. The base was installed for the small parking lot. The fence was finished around the splash pad and the coating was installed on top of the concrete. A sink hole was repaired along the curbing on Clover Lane. At Valley View I four swings were replaced along with the chains and new playground mulch was installed. Dave's Services helped take down large dead trees in the right of way and in our open space. Stump grinding was done in the open space at Heimbach, Bast and Valley View.

**Park Board Meeting Minutes.** The July 10, 2024 Park Board Minutes reflect work being done cleaning and weeding beds at Valley View and other locations in the township. The splash pad construction was discussed with the utility trail being installed and the surfacing to be completed in July. A definitive open date has not yet been established.

**Trumbauersville Fire Company Report; 2023 Financial Statement.** Mr. Strunk stated the Trumbauersville Fire Company Report, and 2023 Financial Statement are available for review.

**Milford Fire Company Report.** Deputy Chief Joe Sink presented the July Report. A total of 31 calls were received in July. Mr. Sink reported the special service vehicle is being lettered and up-fitted. The Fire Company had a big tanker drill at the Moods Farm. Several neighboring Fire Companies were invited to participate. The drill went very well. Water Rescue is preparing for the storms this week. Crews in both stations are preparing gear to be sure the trucks are ready.

### **Manager Report.**

**Act 537 Plan Update.** Mr. Vey reported the Act 537 Plan Update is close to completion. The update will have to be advertised and passed at a meeting.

**Franchise Fee Audit Report.** The Cohen Law Group Audit of the Verizon Franchise Agreement found everything to be in line and a recommendation was given to aggressively negotiate a stronger agreement and review the quarterly statements when received.

**Milford Village Neighborhood Improvement District.** Mr. Vey stated the results are unknown of the Public Hearing that was held on August 6, 2024. The proposed Neighborhood Improvement District requires Board approval for the proposed capital improvements as well as the need for management to sit on the Board of Council. Mr. Vey recommended Mr. Haberle. The proposal is mechanical with different numbers every year and bonds that will expire. Having a presence on the governing board makes sense if the nature of intent changes. Mrs. Harper asked who must back the bond. Mr. Haberle stated a bond is used to make improvements then the cost is passed on to the property owners. Mr. Haberle said there are a lot more questions to be had and he feels a discussion in length is needed. Mr. Vey stated the Neighborhood Improvement District discussion can be added to the August 20, 2024 agenda. Mr. Haberle noted we are nowhere near an approval.

**Michael Baker Agreement (Archeology).** Mr. Vey stated an agreement for archeology has been received following a Teams Meeting. The agreement includes scope of services, context of a master plan, archeology examination, and

processing and cataloguing all of which is not to exceed \$50,000. Mr. Vey stated he is researching where to store artifacts and will approach state and historical museums in the future.

Mr. Haberle made a **MOTION** to approve the Michael Baker Agreement, not to exceed \$50,000. The motion was seconded by Mr. Mininger and passed unanimously.

**ArcheWild Services.** Mr. Vey reported the ArcheWild rate sheet has been distributed for review. ArcheWild will investigate waterways to determine what should be done for preparation of the PRP Plan. ArcheWild will perform on a time and material basis. Mr. Mininger stated he is curious on why DEP isn't focused more on the area just south of 663 in Milford Square. Mr. Vey stated that area is being looked at with the C2P2 Grant, which also relates to the 167 Plan and intentions are there. The Unami goes across the county line. Mr. Vey noted there is a series of places to address.

Mr. Mininger made a **MOTION** to approve ArcheWild on a contracted basis for time and materials. Mr. Haberle seconded the motion. The motion passed unanimously.

#### **Escrow Release:**

**LifeQuest, Mill Hill Road East Extension.** Final Escrow Release Request. Mr. Andersen stated there are no outstanding issues with the construction of Mill Hill Road East Extension.

Mr. Mininger made a **MOTION** to approve the LifeQuest Mill Hill Road East Extension final escrow release request. The motion was seconded by Mr. Strunk. Mr. Haberle recused himself.

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

Mr. Ray Dougherty of Lucky Lane stated there are parking issues on Lucky Lane where vehicles are parking the wrong way, blocking driveways, and kids are playing in street. Mr. Dougherty stated the Pennsylvania State Police said they don't enforce parking. Sometimes vehicles are parking 3 in a row and when you honk your horn they won't move. Vehicles are also parking at the very end of street where vehicles come in and out and someone is going to get hit. Mr. Dougherty stated he has pictures. Mr. Dougherty told Mr. Kravitsky that the light across the street has been removed and the neighbor has now taken to stalking and following him again and the State Police do nothing about it. Mr. Dougherty asked Mr. Kravitsky why the sign on his neighbors property is still up, it has been almost a year. He has to look across the street every day and see it and asked if anything is going to be done with this. Mrs. Harper asked Mr. Kravitsky if the sign is in violation to which Mr. Kravitsky said he does not find it to be a code violation. Mr. Dougherty asked who he can appeal that to. Mrs. Harper noted it can be taken to the Zoning Hearing Board. Mr. Dougherty asked about the patio next door. Mr. Kravitsky stated there is no violation to which Mr. Dougherty stated it is clearly over the open space and the previous Zoning Officer said it was a violation. Mr. Haberle noted this is public comment that is limited to 3 minutes. Mrs. Harper recommended Mr. Dougherty issue a letter. Mr. Dougherty noted some of the complaints predate all the Board Members and staff. Mrs. Harper told Mr. Dougherty to proceed with his public comment. Mr. Dougherty stated Mr. Kravitsky is now the only person to answer his call when he calls the township office and emails were sent confirming that Mr. Kravitsky would not answer the phone and now, he answers and will not allow him to speak to anyone. Mrs. Harper said the township has to run, not just for Mr. Dougherty but for all citizens. The office is managed so the township can run efficiently. Mr. Dougherty stated he is trying to take care of his property and there is an active HUD complaint between him and his neighbors. There are bricks laying all over in the open space and he would like to see the violations in the open space be finished. Mr. Dougherty said the neighbor has a shed with bright lights shining on it that bounce back to his property. He would like it removed. Every other house has complied. Mr. Dougherty said the last thing is the other lights on the neighbor's house are very harassing. There is a motion detector, and the lights shine through his house.

**Adjournment:** With there being no further business Mr. Strunk made a **MOTION** to adjourn the meeting of August 6, 2024 at 9:06 p.m. The motion was seconded by Mr. Mininger and passed unanimously.