

BUCKINGHAM TOWNSHIP

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BUCKINGHAM TOWNSHIP Board of Supervisors Work Session Agenda December 14, 2022 5:00 p.m.

5:00 p.m. Executive Session

Manager's Items

7:00 p.m. Mr. and Mrs. Satterfield, 3314 Lancashire Road, TMP 6-68-32,
RE: Zoning Hearing Board Application PH220018

Buckingham Township Board of Supervisors
Work Session
Minutes

The work session of the Buckingham Township Board of Supervisors was held December 14, 2022 in the Township Building, 4613 Hughesian Drive, Buckingham, Pennsylvania.

Present:	Paul Calderaio	Chairman
	Jon Forest	Vice-Chairman
	Maggie Rash	Member
	Dana S. Cozza	Township Manager
	Daniel Gray	Township Engineer
	Craig A. Smith, Esquire	Township Solicitor
Not Present:	Luke Rosanova	Bucks County Planning Commission
	Gary Weaver	Township Water/Wastewater Consultant

The work session began at 5:00 p.m. with Executive Session to discuss police personnel matters, non-uniform personnel matters and ongoing zoning litigation.

Mr. and Mrs. Satterfield, 3314 Lancashire Road, TMP 6-68-32,
RE: Zoning Hearing Board Application PH220018

Mrs. Satterfield explained that they had installed a fence unintentionally within the Township's stormwater easement upon their property, and applied for a variance from the Zoning Hearing Board to allow the fence to remain where it was installed. She said the Zoning Hearing Board referred the matter to the Board of Supervisor's because the Zoning Hearing Board said they have no power to vary the terms of an easement held by the Township.

Mr. Gray explained that the Devonshire development was designed for stormwater to drain to a swale along 6-8 lots on the Satterfield's block, and in order to protect drainage through the area a stormwater easement was granted to the Township providing that no facilities may be installed in that area that could impact the drainage. Mr. Gray said the record plan and the Homeowners' Association documents have the easement noted, and the fence permit requirement is another check the township put in place to be sure nothing gets placed within the easement. Mr. Gray said when Mr. Myers, Zoning Officer, was closing out the permit, it was discovered that the fence was improperly installed within the easement. Mr. Gray suggested the fence could be moved outside of the easement.

Mrs. Satterfield said they had requested that Mr. Myers come out and flag the stormwater easement area when they applied for the fence permit, but were told that the township does not do that. Mr. Satterfield said they lined the fence up with the neighbor's installed fence. Mr. Satterfield explained it is an aluminum fence that you can see through and

does not impede water flow. Mrs. Satterfield said there are posts in the ground about every 10 feet.

Mr. Gray noted there were pictures that show river stone at the edge and underneath the fence, and Mr. Satterfield said they put it there. Mr. Gray said that leaves will get caught in the stones and clog up the drainage, forcing the stormwater to run onto or be retained in a neighbor's yard.

Mrs. Rash said it looks like the neighbor's fence needs to be moved, too. Mrs. Satterfield said there a lot of fences installed in the stormwater easement. However, Mrs. Satterfield said she did not want to cause an issue for her neighbors, and they were here just to discuss their variance request. Mr. Smith reiterated that the Zoning Hearing Board has no power to vary the terms of an easement held by the Township. Mr. Satterfield said they just wasted \$800 on the Zoning Hearing Board.

Mrs. Satterfield said there is no piping in the easement, but if they need to move the fence in the future they will. Mr. Forest said the Board cannot tell them that the fence may remain in the stormwater easement. Mr. Smith noted the approved plan was enforceable by anyone in the development and neighbors could potentially sue the Satterfield's for drainage issues.

Mr. Forest suggested they move the fence to the proper location 10' from the easement. Mrs. Satterfield said if they have to move the fence, there is no point, and they probably will just take it down. Mrs. Satterfield said the fence placement was not made clear to them, and repeated they had asked Mr. Myers to verify the flags were placed in the correct location. Mr. Gray noted someone had circled the 20' wide easement on the plot plan that the Satterfield's had submitted with their Zoning Hearing Board application, and Mrs. Satterfield said that had been Mr. Myers. Mr. Gray said there should be markers in the corner of the property, a similar pin or monument that runs parallel to their property line at both of the properties located at the end of the block that could be used to measure proper placement. Mr. Gray noted that Mr. Myers is not a surveyor so he cannot mark the property, but tried to provide the best reference he could on the plan.

Mrs. Satterfield asked if they had the right to do anything in the easement, and Mr. Gray said there a note on the approved record plan that says nothing may be placed in the stormwater easement and its grade may not be altered.

Mr. Calderaio said they would look into refunding the \$800 that was submitted with the Zoning Hearing Board application.

7:30 p.m. The Work Session adjourned.

8:40 p.m. The Work Session continued.

19088

Driveway Placement, Church School Road, TMP 06-004-074

Mr. Gray said the Gordon's who now own the preserved Thomas Property on Church School Road, and their attorney Kellie McGowan, had met with him to discuss revising the location of the driveway as show on the former sketch plan that was discussed with the Board of Supervisors. Mr. Gray said when discussing the design, it was discovered that the driveway cannot be installed along the tree line close to the Smoke Road intersection due to sight lines. However, it could be relocated directly across from a driveway across the street, and sweep across the farm field. Mr. Gray said the 2-acre curtilage is still set back from the road, but the driveway location needs to be relocated for safety. Mrs. Rash said she didn't care for the plan but agreed there was not a good alternative. The other Board members agreed.

5530 Carversville Road, 06-006-018

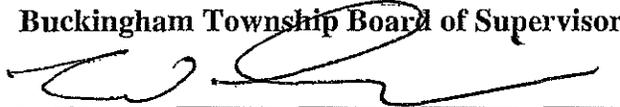
Mrs. Cozza said the township had received a request from Mr. Schram, the owner of preserved property located at 5530 Carversville Road, to install an outdoor fenced in horse arena on the property. She said that Mr. Schram knew he would need to work with Bucks County Conservation District given land disturbance, and wanted to know what the township may require for this type of project. Mrs. Rash confirmed the arena was outdoors and would not have a roof; Mrs. Cozza confirmed this to be true. The Board had no issues with the installation as described.

8:55 p.m. The Board retired into Executive Session to discuss the Rosner litigation.

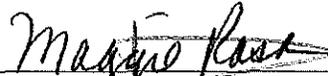
9:45 p.m. The Work Session adjourned.

Approved by the Board of Supervisors on the 3rd day of January, 2023.

Buckingham Township Board of Supervisors



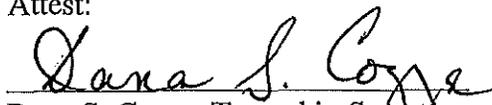
Paul Calderaio, Chairman



Maggie Rash, Vice-Chairman


Jon Forest, Member

Attest:


Dana S. Cozza, Township Secretary

Minutes respectfully submitted by Lori Wicen.