

Buckingham Township Board of Supervisors
Work Session
Minutes

The work session of the Buckingham Township Board of Supervisors was held February 22, 2023 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
	Luke Rosanova	Bucks County Planning Commission
	Gary Weaver	Township Water/Wastewater Consultant
Not Present:	Craig A. Smith, Esquire	Township Solicitor

The work session began at 6:00 p.m.

DAA Baseball Field Improvement Requests, George M. Bush Park, Keith Holmes

Mr. Holmes of Doylestown Athletic Association, and Mr. Carlos Valdez, President of Doylestown Athletic Association were present to request the Board revisit their denial of Mr. Holmes previous request for fences and a water line to be installed at the “baseball” fields at George M. Bush Park.

Mr. Forest said the township had previously provided use of a sprayer installed on a trailer that they could attach to their tractor to water the fields. Mr. Holmes said it didn’t work, as it is a chemical sprayer. Mr. Forest added that the township was already working with Mr. Holmes to install sod on the fields, per his previous request.

Mrs. Cozza explained that the Board had discussed the requests during budget time, as Mr. Holmes was previously advised, and the request for fences and a water line did not make the budget this year due to other priorities. Mrs. Cozza said the staff had concerns about installing a pressurized water line as there has been a lot of vandalism at the park. Mrs. Cozza noted the water is part of a public water system which would incur an added connection and ongoing usage expense.

Mr. Holmes argued that the fence is needed to create a visible barrier and a “real” baseball field with boundaries. He said the fence would cost \$11,000 and a water line to both fields would cost between \$6000-\$7000.

Mr. Forest explained that Buckingham Township has a lot of parks that cost a lot of taxpayer money to build, and the township wants everyone to be able to use the parks, which is why the fields were designed as “multi-purpose” and not exclusively as baseball fields.

“Penn’s Purchase II”, Township File SA 2018-04 – Status Update

Edward Murphy, Esq. Wisler Pearlstine, Mr. Greg Glitzer and Mr. Ron Monkres, Gilmore & Associates, Mr. John McGrath, III of Stonehaven Homes and Mr. Jeff Clark, Hydrogeologist were present.

Mr. Murphy provided an update on the well, and said that it produces more than 45 gallons per minute, per the agreement. He said the significant issue for discussion is the township’s current position that no Certificates of Occupancy would be issued for any aspect of the project unless and until the Delaware River Basin Commission (DRBC) adds this well to the townships’ docket, adding it to the other existing wells on the docket with the DRBC. Mr. Murphy explained if Mr. McGrath cannot receive Certificates of Occupancy prior to the permitting, the job will not be able to move forward because the lender is unaware they cannot get the Certificates of Occupancy.

Mrs. Cozza asked how they expected to get a Certificate of Occupancy without the DRBC permit being issued first. Mr. Murphy explained the agreement says as long as they meet the minimum standards for the well, and until that well is dedicated to the township, Peddler’s Village is to continue supplying them with water. Mr. Murphy said there is no reference in the agreement to DRBC. Mr. Murphy acknowledged receiving the Township Solicitors email where it was pointed out, that pursuant to the June 23, 2021 Agreement, Stonehaven has to prove the new well will consistently provide potable water meeting the requirements and specifications of the Pennsylvania Department of Environmental Protection and that can only be proven by the issuance of a permit, which permits the agreement says the developer shall transfer, including Delaware River Basin Commission (“DRBC”) and DEP permits, to the Township. Plus Mr. Smith’s email continued that the August 12, 2021 approval letter provides that prior to the record plans being recorded, the Applicant shall have drilled the new well and proven it will consistently provide potable water meeting the requirements and specifications of the June 23, 2021 Agreement and particularly paragraph 5 thereof. Further, the August 12, 2021 approval states the developer must comply with all other applicable requirements of any other county, state or federal agency. Mr. Murphy said that in discussing this with Mr. Smith, he had said he would advise the Board that the developer could start at their own risk, but with the explicit understanding that no building permits for homes would issue until the DRBC permit was received. Mr. Murphy advised that does not work because the developer cannot finance the job because the bank will not lend the money with that condition.

Mr. Weaver, Castle Valley Consultants, said they have reviewed the hydrogeological report, and the water is potable with the exception of treatment of iron, but they need to have a permit to show that treatment. Mr. Weaver said once his office receives the permit submission, they will review it within two weeks.

Mr. Murphy said the timing issue is a big deal, as the job will sit dormant for at least another year as there are only three opportunities each year to get DRBC approval of the

docket. Mr. Murphy said if the application is not submitted within two weeks, they won't be on the agenda until November.

Mr. Murphy said this well was always intended to be a backup, never the primary well, and they knew there would be issues, however none of them realized the significance of documenting this with DRBC. Mr. McGrath said he had never heard the words "DRBC Permit" throughout the entire procedure or in the agreement, although he did see the agreement says they must meet DEP requirements. Mr. Weaver explained that prior to them receiving a permit from DEP, it must go through DRBC who issues the docket; DEP needs to see a design for treatment. Mr. Weaver said he has the hydrogeologist report from Mr. Clark that says the water in the ground is adequate, but needs the design for review, township sign-off and submission to DEP. Mr. Murphy said that Gilmore & Associates will probably be doing the design work.

Mr. Forest asked if the financiers would accept anything less than a Certificate of Occupancy. Mr. Murphy replied "no", and Mr. McGrath said they cannot sell homes without the Certificate of Occupancy.

"DiGirolamo Property", Cold Spring Creamery Road, TMP 6-4-16 and 6-4-17-1, Edward Murphy, Esq.

Edward Murphy, Esq. Wisler Pearlstine and Mr. Greg Glitzer, Gilmore & Associates, were present.

Mr. Glitzer said they had submitted a sketch plan for the "DiGirolamo Property" which will be reviewed by the Planning Commission next Wednesday. He explained the project proposes a 150,000 square foot warehouse building, with a truck driveway to Stoney Lane crossing a portion of property owned by the Airport Authority (recently subdivided last year). Mr. Glitzer said there also is a 7+ acre parcel in the upper middle of the project that would be annexed to the airport's runway protection zone. Mr. Glitzer said the lot along Stoney Lane has issues with the hill and bank, but they are studying septic system feasibility as a nonbuildable lot. Mr. Glitzer said the upper right area of the plan would be for the septic system. He said they are looking at a population of 75-100 employees, so it would not need to be a very large system. Mr. Glitzer explained the township water tanks are off Lois Lane and feed a 12" line into Progress Meadow. Mr. Weaver confirmed there is an 8" line in progress that could provide them with 2200 gallons a minute for fire protection purposes.

Mr. Murphy added that the area along Cold Spring Creamery Road would be deed restricted open space.

Mr. Glitzer said they planned to take advantage of the rolling hills on the Digirolamo property, and preserve the viewshed along the major roads by setting the building back. He said there are existing hedgerows mid-site and they would add to that rather than along the property line near the road. He said it would have a managed meadow.

Mr. Weaver said the township had been studying the upper right area for spray fields, and if they pushed the septic field to the side, there could be 4-5 acres of well drained soil.

Mr. Calderaio questioned the truck entrance and types. Mr. Murphy said the Stoney Lane entrance would be for trucks only, including tractor trailers. He said the Progress Meadow entrance would be for employees. Mr. Gray recommended that the trucks could make a right-turn only onto Stoney Lane, head towards Landisville and then Easton Road, rather than going towards Cold Spring Creamery Road. Mr. Gray said this would all be specified in the traffic study report.

Mr. Murphy said they met with township staff in late summer/fall and everyone was on board, they have agreements signed to proceed and expect to have a fully engineered plan by mid to late April.

7:15 p.m. The Board retired into executive session to discuss pending Froehlich litigation, police personnel matters, and potential real estate land preservation offers.

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

Approved by the Board of Supervisors on the 22nd day of March.

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.