

**WARWICK TOWNSHIP**  
Board of Supervisors' Public Meeting Minutes  
**March 16, 2020**

Members Present: Judith A. Algeo, Esq.  
Edward P. Thompson, Member

Absent: John W. Cox, Vice Chairman

Others Present: Kyle Seckinger, MPA, Township Manager  
Mary Eberle, Esq., Township Solicitor (Via call-in)  
Michele Fountain, P.E., Township Engineer  
Catherine Topley, Recording Secretary

**CALL TO ORDER:**

The Warwick Township Board of Supervisors' March 16, 2020 public meeting, held at Warwick Township Administration Office, 1733 Township Greene, Jamison, PA., was called to order at 7:00 p.m., by Judith A. Algeo, Chair, who then led attendees in the pledge of allegiance.

**EXECUTIVE SESSION**

The Board of Supervisors did not meet in executive session.

**APPROVAL OF MINUTES:**

→ Monday, February 17, 2020 Board of Supervisors' Meeting Minutes

**Motion by Mr. Thompson to approve the February 17, 2020 Board of Supervisors' Meeting Minutes. Second to motion by Ms. Algeo.** Chair Algeo invited comment or discussion. There being none, the vote was called.  
**Motion passed unanimously.**

**ANNOUNCEMENTS:**

1. Warwick Township is now on Instagram, our name is: warwicktownshipbucks
2. The Annual Egg Hunt will be re-scheduled, date to be determined
3. The 9-11 Museum Tour originally scheduled for Tuesday; April 21<sup>st</sup> is cancelled. It was cancelled by the 9-11 museum.

**CITIZEN COMMENT:** None.

**MANAGER'S REPORT:**

→ TD Bank (2155 York Road) – To Consider Signage for Corridor Overlay District Approval

Mr. Seckinger stated that the TD Bank, located at 2155 York Road, is proposing to change its free-standing ground sign. The new sign is the same size as the current one.

Mr. Rocco Gaskins of ABCO Signs was present to answer any questions. The Board did not have any questions.

**Motion by Mr. Thompson to approve the TD Bank sign change as proposed at 2155 York Rd. Second to motion by Ms. Algeo.** Chair Algeo invited comment or discussion. There being none, the vote was called.  
**Motion passed unanimously.**

→ LD 05-11: Warwick Village Commons Phase II

Mr. Seckinger stated that on January 27<sup>th</sup>, 2020 the Township received a preliminary plan application for Phase II of the Warwick Village Commons Development located at 1939 York Road. The applicant proposes to develop a 38,133 square foot Tractor Supply Store. A conditional use approval was required for a building with a gross floor area on the ground story of 3,500 square feet or greater and for mixed uses on a single lot. The conditional use application was denied on June 18, 2018. As a result, the decision was appealed, and a Stipulation and Agreement was executed on November 12, 2019.

The application is before the Board of Supervisors seeking preliminary plan approval.

Julie VonSpreckelsen was present on behalf of the applicant, along with Bill Dion from The Verrichia Company and Eric Britz from Bohler Engineering.

A discussion ensued regarding the landscaping, wall, fence and the reduced size of the island. Mr. Thompson stated that he is against the southern end of the island being smaller at the Meyer Way entrance. He feels that drivers will cut the turn short as they turn into Wawa. Mr. Dion stated that they can leave it the way it is and, if possible, enhance the curb.

Mr. Dion stated that they preferred to discuss the landscaping, wall and fence during the land development process and not during the settlement agreement. The applicant feels that what they have proposed is more than sufficient and will be more aesthetically pleasing. They have proposed small walls at all four corners of the property to match the walls at Wawa, and they will include a 3ft. to 5ft. high berm with a landscaped buffer.

**Motion by Mr. Thompson to grant LD 05-11: Warwick Village Commons Phase II – Tractor Supply Co preliminary plan approval contingent upon the following:**

- 1. Compliance with the CKS Review Letter dated 2-27-20**
- 2. Compliance with the Staff Review Letter dated 2-28-20**
- 3. Compliance with the Bucks County Planning Commission Letter dated 2-27-20**
- 4. Conditioned on Ms. Eberle, Township Solicitor, and Michele Fountain, Township Engineer, approving the Bohler Engineering Revised Waiver Request Letter Dated 3-6-20 which increased the number of requested waivers from 9 to 13.**
- 5. Conditioned on not shortening the southern end of the turning island located at the Meyer Way entrance across from the EMS building in the direction of the EMS building.**

**Second to motion by Ms. Algeo.** Chair Algeo invited comment or discussion. There being none, the vote was called.

**Motion passed unanimously.**

→ ZHB 20-02: Warwick TVC-ARC, LP (Warwick Village Commons, 1939 York Rd) Tractor Supply Signage for Zoning Review

Mr. Seckinger explained that Warwick TVC-ARC, L.P., in connection with the land development for Tractor Supply, is requesting relief from the zoning ordinance to allow for larger than permitted signage. After meeting with the Board last month, the developer was instructed to discuss the needed signage with Tractor Supply and present smaller signage alternatives.

Mr. Dion of the Verrichia Company stated that they went back to Tractor Supply and have presented two options showing smaller wall signs for side of the building facing York Rd. One option is 99 sq. ft, and the other option is 75 sq. ft. They would prefer to go no smaller than 75 sq. ft., as they believe it will not look proportionate on the building. The monument sign will be the exact same size as Wawa and the wall sign that will be facing Meyer Way will remain at 125 sq. ft.

**Motion by Mr. Thompson for Ms. Eberle, Township Solicitor, to prepare a letter to the Zoning Hearing Board that the Board is not opposed to the monument sign being the same size as submitted (same size as Wawa), the sign facing Meyer Way being 125 sq. ft., and the wall sign facing York Rd be reduced to 75 sq. ft. Second to motion by Ms. Algeo.** Chair Algeo invited comment or discussion. There being none, the vote was called. **Motion passed unanimously.**

→ LD 15-01: York Road BLADCO (2029 York Road) – To Consider Final Plan Approval

Mr. Seckinger explained that York Road BLADCO L.P. is proposing a variation of a B3 performance standard subdivision. The plans propose to develop 2029 & 2059 York Road into 78 townhouses with a clubhouse. The properties collectively are referred to as the "Fetzer tract" and are currently occupied by over 10 abandoned greenhouses as well as a smokestack with an existing wireless communication facility which is to remain.

In December of 2018, the township gave this applicant conditional preliminary plan approval by resolution.

The final plan was first presented to the Planning Commission at their July 2019 meeting. The submission and plan were incomplete at the time, and the Planning Commission tabled the application.

The applicant presented a revised final plan to the Planning Commission at their November 2019 meeting. While progress was made, not all plan revisions were made. The Planning Commission recommended final plan approval conditioned on resubmission of revised plans.

In January 2020, the township received a revised final plan submission. The plans reviewed were prepared by Bohler Engineering, dated June 22, 2018, last revised December 12, 2019.

The application is before the Board of Supervisors seeking final plan approval.

A discussion ensued regarding the following:

**Architectural renderings for the clubhouse and houses** – Since the developer does not currently have a builder selected, it was agreed this will be a condition of plan approval.

**The common open space currently located at lot 55** - It was agreed that this open space would be better utilized at the parking island by the clubhouse, which currently has a sidewalk. Therefore, the plan will be revised to reflect the common open space reconfiguration.

**Mailbox approval** – Mr. Bleznak stated they are still waiting on confirmation from the USPS but have received confirmation that this development will be served by the Jamison Post Office.

**Street name of Encampment Drive** – Mr. Thompson requested an alternative street name. It was agreed that the applicant will submit alternative street names.

**Motion by Mr. Thompson to grant LD 15-01: York Road BLADCO (2029 York Road) – final plan approval contingent upon the following:**

1. **Compliance with the CKS Review Letter dated 3-3-20**
2. **Compliance with the Staff Review Letter dated 2-7-20**
3. **Developer to submit alternative street names for Encampment Drive**
4. **The common open space located at lot 55 being moved to the parking island by the club house**
5. **Corridor Overlay District approval of architectural renderings**

**Second to motion by Ms. Algeo.** Chair Algeo invited comment or discussion. There being none, the vote was called. **Motion passed unanimously.**

→ ZHB 20-03: Solana (1400-1414 Old York Rd) – Community Center Use for Zoning Review

Mr. Seckinger explained that the applicant has filed a zoning hearing board appeal from the Notice of Violation: EVIOL1678, issued on January 23, 2020, by Ashley Casey, Zoning Officer.

An application for a commercial rental use & occupancy (#OF200025) was received for 1414 Old York Road, Unit C, and proposed a D3 Community Center use. The principal use of the property is currently a H16 Flex Space and per Zoning Hearing Board Decision 13-11, permitted the applicant to expand the existing G5 Village-oriented shop or service business use existing at Unit B into Unit C. This permitted the G5 Village-oriented shop or service business use within an H16 Flex Space use.

A zoning denial letter was issued for the rental use & occupancy application for Unit C, as the D3 Community Center use is considered an additional principle use. Accompanied with the Zoning Officer's zoning denial letter, a Notice of Violation: EVIOL1678, was issued on January 23, 2020, by Ashley Casey, Zoning Officer as Hartsville Courtyard was never issued a certificate of rental use & occupancy prior to occupancy and is operating without proper approval from Warwick Township Planning & Zoning Department.

In response, the applicant is appealing the Zoning Enforcement Notice or, in the alternative, requesting a variance to permit a D3 Community Center within a H16 Flex Space use.

Todd Savarese was present on behalf of the applicant. Mr. Savarese, in a brief background, explained that an AA organization moved into the space last summer. They hold 3 meetings a day (7am, 12 pm and 7pm) that last approximately one hour each.

A discussion ensued regarding insufficient parking for the AA organization and the proposed Dance Studio in Unit B that the applicant stated had applied for a U&O certificate. The property has 22 parking spaces. Ms. Algeo stated that having dance classes and AA meetings at the same time will likely cause parking problems. Mr. Seckinger pointed out that several of the other units in this complex are vacant and how will the property handle the parking needs if all units were occupied.

Mr. Seckinger stated that without increasing impervious coverage and going into land development, there are limited options to increase parking.

Ms. Algeo stated that the applicant is here for forgiveness of a known violation since all of these issues should have been resolved before allowing the tenant to occupy the property. The Board is now put in a bad position as the tenant is already in and the board may be seen as the "bad guys" if the use is ultimately denied.

The Board directed that the township staff and the applicant meet to discuss current zoning and parking problems.

The applicant granted a waiver to the 60-day hearing requirement and tabled the application so that the township staff could meet with the applicant and Mr. Savarese to discuss rezoning or a text amendment to address the zoning use and the issues with parking on the property.

→ ZHB 20-04: LabCorp (2319 York Rd) – Signage for Zoning Review

Mr. Seckinger stated that since LabCorp is now operating within Walgreens, the applicant is requesting variances to permit four additional window signs and an additional projecting/wall sign. Note that this applicant was before the Board of Supervisors and the Zoning Hearing Board this past fall. At that time, it was to allow the LabCorp use within the drugstore. The decision did not allow for additional signage. LabCorp and Walgreens were to amend existing signage but not add additional ones. The signs were installed without permits and then taken down after notice from the township.

Mr. Dean Donatelli, attorney for the applicant, and Stephen Devine of LabCorp were present to answer any questions.

Mr. Donatelli explained that it was never the applicant's intention to not originally request zoning relief for signage. Mr. Donatelli gave a brief description of how the process works on the applicant's end and apologized for the error.

Mr. Donatelli explained that they are requesting two variances in order to permit the requested signage. Discussion ensued regarding the window signs, as the board was not in favor of them.

**Motion by Mr. Thompson for Ms. Eberle, Township Solicitor, to prepare a letter to the Zoning Hearing Board that the Board is not opposed to the monument sign, the front door, and drive-up window signs as proposed. The Board does oppose the four window signs. Second to motion by Ms. Algeo.** Chair Algeo invited comment or discussion. There being none, the vote was called.  
**Motion passed unanimously.**

The applicant granted a waiver to the 60-day hearing requirement.

→ 2020 Bucks County Consortium Materials Bid – To Consider for Award

Mr. Seckinger explained that the Bucks County Consortium administered our materials bid again for 2020/2021. Miller Materials was the low bid for Super Pave 19.0 mm and Super Pave 9.5mm asphalt, when factoring time and travel. Eureka Stone Quarry was the low bid for 2A stone mix, when factoring time and travel. Mr. Seckinger recommended awarding the bid to Miller Materials for asphalt and Eureka Stone Quarry for stone.

**Motion by Mr. Thompson to award the bid for asphalt to Miller Materials and the bid for stone to Eureka Stone Quarry. Second to motion by Ms. Algeo.** Chair Algeo invited comment or discussion. There being none, the vote was called.  
**Motion passed unanimously.**

→ Resolution 2020-13 – Police Officer Disability Retirement

Mr. Seckinger read aloud the Resolution regarding Officer Witman's Disability Retirement.

**Motion by Mr. Thompson to approve Resolution 2020-13 – Police Officer Disability Retirement. Second to motion by Ms. Algeo.** Ms. Algeo invited comment or discussion. There being none, the vote was called.  
**Motion passed unanimously.**

→ Treasurer's Report for February 2020

Real Estate Transfers posted \$44,165, Earned Income Taxes received \$426,015, Local Service Tax received \$40,805 and Building Permits posted \$14,312.

Fund balances for February 2020 are as follows, subject to audit:

General Fund	\$	11,673,872
Firehouse and Equipment	\$	652,010
Road Machinery Fund	\$	-54,985
General Obligation / Sinking Fund	\$	394,993
Capital Projects Fund	\$	14,014
Highway Aid Fund	\$	46,147
Parks and Recreation	\$	545,918
Parks and Recreation Capital Fund	\$	493,837
Capital Reserve	\$	<u>243,004</u>

Total      \$ 14,008,810

**Motion by Mr. Thompson to approve the February 2020 Treasurer's Report as prepared by Becki Wilhelm, Finance Director, subject to audit. Second to motion by Ms. Algeo.** Chair Algeo invited comment or discussion. There being none, the vote was called.

**Motion passed unanimously.**

→ Bill Payments 3-2-20 and 3-16-20

Mr. Seckinger requested a motion to pay the bills March 2, 2020, totaling \$171,783.04 and March 16, 2020, totaling \$257,598.40 as listed in the bill payment recap, subject to audit.

**Motion by Mr. Thompson to approve the March 2, 2020 and March 17, 2020 Bill Payments, subject to audit. Second to motion by Ms. Algeo.** Ms. Algeo invited comment or discussion. There being none, the vote was called.

**Motion passed unanimously**

■ **SOLICITOR'S REPORT:**

→ Zoning Ordinance Amendment – Accessory Farm Use – To Consider for Advertisement

Ms. Eberle stated that the township planning commission recommended that the permitted frequency of seasonal festivals increase from 6 to 8. That change is reflected in this draft of the ordinance amendment.

**Motion by Mr. Thompson to approve for advertisement the Zoning Ordinance Amendment for Accessory Farm Use. Second to motion by Ms. Algeo.** Ms. Algeo invited comment or discussion. There being none, the vote was called.

**Motion passed unanimously.**

■ **ENGINEER'S REPORT:**

→ LD 96-06: Warwick Business Campus (Campus Dr.) – Consider Acceptance of Punchlist

→ LD 05-07: Warwick Business Campus (Lots 13 & 14.) – Consider Acceptance of Punchlist

Ms. Fountain requested acceptance of the punch lists for two developments: LD 96-06 Warwick Business Campus and LD 05-07 Lots 13 & 14 of the Warwick Business Campus.

**Motion by Mr. Thompson to accept the punch list for both LD 96-06: Warwick Business Campus (Campus Dr.) and LD 05-07: Warwick Business Campus (Lots 13&14). Second to motion by Ms. Algeo.** Chair Algeo invited comment or discussion. There being none the vote was called.

**Motion passed unanimously**

■ **OLD BUSINESS:** None

■ **NEW BUSINESS:**

Resolution 2020-14: Disaster Declaration – for approval

Mr. Seckinger read aloud the Disaster Declaration Resolution.

**Motion by Mr. Thompson to approve Resolution 2020-14 – Disaster Declaration. Second to motion by Ms. Algeo.** Ms. Algeo invited comment or discussion. There being none, the vote was called.


**Motion passed unanimously**

■ **PUBLIC COMMENT:** None

■ **ADJOURNMENT:**

The March 16, 2020 Warwick Township Board of Supervisors' public meeting was adjourned at 8:18 p.m.

Respectfully submitted,

  
Kyle W. Seckinger  
Township Manager

These minutes were approved at the  
Board of Supervisors' meeting held: