

WARWICK TOWNSHIP
Board of Supervisors' Public Meeting Minutes
January 18, 2021
Virtual Meeting

Members Present: Judith A. Algeo, Esq, Chair
John W. Cox, Vice Chairman
Edward P. Thompson, Jr., Member

Others Present: Kyle Seckinger, MPA, Township Manager
Mary Eberle, Esq., Township Solicitor
Michele Fountain, P.E., Township Engineer

CALL TO ORDER:

The Warwick Township Board of Supervisors' January 18, 2021, public meeting was called to order at 7:00 p.m., by Judith Algeo, Chair, who then led attendees in the pledge of allegiance.

EXECUTIVE SESSION

The Board of Supervisors met to discuss matters of personnel.

APPROVAL OF MINUTES:

→ *Monday, December 7, 2020, and Monday, January 4, 2021, Board of Supervisors' Meeting Minutes*

Motion by Mr. Cox to approve the Monday, December 7, 2020, and January 4, 2021 Board of Supervisors' Meeting Minutes. Second to motion by Mr. Thompson, Chair Algeo invited comment or discussion. There being none, the vote was called.

Motion passed unanimously.

ANNOUNCEMENTS:

Mr. Seckinger read the following announcements:

- All attendees may participate actively during this meeting by writing so in the chat feature of this program. Once acknowledged, you may speak on the agenda items as we discuss them or on any topics during citizen and public comment during this meeting.
- We currently have a job vacancy for the Assistant to the Township Manager position. Application instructions can be found on the township website.
- The Blood Drive is tomorrow between 2pm – 7pm. You do need an appointment with the Red Cross, which you can schedule at redcrossblood.org
- The township administration offices will be closed on Monday, February 15th in observance of President's Day.
- Spring program registration begins on March 1st. All programs will be subject to change/cancellation depending on the evolving COVID-19 restrictions and guidelines.

CITIZEN COMMENT: None

MANAGER'S REPORT:

→ *ZHB 21-01: Gasper Landscapes (Mearns Rd.) Zoning Hearing Board Application – For Zoning Review*

Mr. Seckinger stated the following:

The applicant proposes to improve a vacant lot in the Mearns Road Business Campus (Lot #4, Camars Dr) for the following uses: H3 Wholesale Business and H5 Contracting for Gasper Landscapes, Inc.

As stated in the application, the applicant proposes to construct two (2) buildings on the property:

- 100' x 240' building for their wholesale and contracting business & 50' x 100' building for soil and equipment storage.
- And storage bins to support applicant's operation.

The applicant is seeking the following variances:

1. From Article III §195-10 of the Warwick Township Zoning Ordinance: to allow two (2) principal uses on one property.
2. From Article III §195-16.H(13)(c)[2][a][iii] of the Warwick Township Zoning Ordinance: to allow a building or structure to be within 106-ft of a residential zoning district, where the zoning ordinance requires 500-feet.
3. From Article III §195-16.H(13)(c)[2][a][iv] of the Warwick Township Zoning Ordinance: to allow buildings and improvements within 200-feet of any residential district boundary line and parking within 100-feet of a residential district boundary line.
4. From Article XVIII §195-57.C of the Warwick Township Zoning Ordinance: to allow an industrial building closer than 200-feet to any residential district boundary line, and from the 50-foot landscaped buffer (35-foot landscape buffer proposed).
5. From Article XVIII §195-57.D of the Warwick Township Zoning Ordinance: to allow an industrial building closer than 125-feet from any existing residential district or use, and to allow parking closer than 50-feet from any residential district or use.

Mr. Seckinger turned over the application presentation to Mr. Nate Fox, attorney for the applicant. Mr. Fox introduced the professionals and owner in attendance for Gasper Landscapes.

Mr. Thompson asked for clarification on where the residential properties are that abut the proposed project. Mr. Fox proceeded to show the Board where the abutting residential properties are on page 3 of the presentation and their proximity to the subject parcel. Mr. Fox stated that adhering to the 500-foot buffer requirement would render the subject property undevelopable. However, the distance between the proposed building and the abutting residential homes would exceed 500 feet. The nonresidential properties along Bristol Road, which abut the subject parcel, are commercial and industrial uses.

Mr. Thompson expressed concerns with excessive lighting that would create light pollution for the neighboring properties. Mr. Fox asked for clarification from Mr. Bob Gasper on their lighting intentions. Mr. Gasper stated that no offensive lighting will be proposed, and that the property is surrounded by existing woodlands.

Mr. Cox asked about notification for the Smith property adjacent to the subject property. Mr. Seckinger clarified that all adjacent property owners will receive zoning hearing board meeting notice by mail.

The Board expressed that they will remain neutral to the zoning hearing board application with the following conditions:

1. All lighting must be shielded and projected downwards
2. The project shall include screening against all residential properties sufficient to serve as a vegetated buffer

→ *Treasurer's Report for November 2020 and December 2020*

For the month of November 2020, expenditures outpaced revenues by \$183,230.

Real Estate Transfers posted \$73,869, Earned Income Taxes received \$377,198, Local Service Tax received \$36,911 and Building Permits posted \$12,744.

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

General Fund	\$	12,435,065
Firehouse and Equipment	\$	670,482
Road Machinery Fund	\$	11,771
General Obligation / Sinking Fund	\$	514,868
Capital Projects Fund	\$	96,857
Highway Aid Fund	\$	108,641
Parks and Recreation	\$	471,386
Parks and Recreation Capital Fund	\$	520,994
Capital Reserve	\$	<u>223,372</u>

Total \$ 15,053,436

Motion by Mr. Cox to approve the Treasurer's Report for November 2020, subject to audit.

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

Motion passed unanimously.

For the month of December 2020, expenditures outpaced revenues by \$322,789.

Real Estate Transfers posted \$148,199, Earned Income Taxes received \$242,100, Local Service Tax received \$4,164 and Building Permits posted \$10,120.

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

General Fund	\$	12,349,742
Firehouse and Equipment	\$	668,049
Road Machinery Fund	\$	10,420
General Obligation / Sinking Fund	\$	392,555
Capital Projects Fund	\$	33,559
Highway Aid Fund	\$	108,648
Parks and Recreation	\$	439,221
Parks and Recreation Capital Fund	\$	505,052
Capital Reserve	\$	<u>223,401</u>

Total \$ 14,730,647

Motion by Mr. Cox to approve the Treasurer's Report for December 2020, subject to audit.

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

Motion passed unanimously.

→ *Bill Payments 12-7-20*

Mr. Seckinger requested a motion to approve the bill payments for December 21, 2020, totaling \$246,803.96, and January 18, 2021, totaling \$395,711.92, subject to audit.

Motion by Mr. Cox to approve the Bill Payments for December 21, 2020, and January 18, 2021, subject to audit. Second to motion by Mr. Thompson. Chair Algeo invited comment or discussion. There being none, the vote was called.

Motion passed unanimously.

■ **SOLICITOR'S REPORT:**

→ *Warwick Township/Sparks Industries (Warwick Grinders, Rushland Rd) – Reinstated and Amended Agreement – For Consideration*

Mary Eberle, Esq., introduced this item and gave a summary of the agreement. The agreement is a reinstated and amended agreement based off a prior agreement with Mr. Ritter. The agreement would permit topsoil sales and, in return, make the sale of sand, gravel and hardscape materials not permitted. Furthermore, the uses of Garden Center and Contracting would not be permitted.

Mr. Thompson asked for clarification on the topsoiling screening process and how the topsoil will be stored onsite. Mr. Shaun Sparks, owner of Warwick Grinder, stated that the soil storage may be delineated with blocks. Furthermore, the soil that will be screened will come from stumps and edgings that are dropped off onsite. The screened topsoil will be stored in a three-sided, roofed building with the option of closing a door during inclement weather. Mr. Thompson asked that Jersey barriers not be used in excess. Mr. Sparks clarified that 90% of the topsoil onsite will be screened offsite.

Mr. Thompson expressed a concern with the tracking of topsoil on Rushland Rd. Mr. Sparks stated that the drive aisles are all made of millings; therefore, the trucks should not have mud on their tires when leaving the site. The Sparks have a street sweeper, if needed.

Ms. Eberle stated that language has been added to the agreement to obligate the Sparks to clean up any soil spilled on Rushland Rd.

■ **ENGINEER'S REPORT:**

→ *LD 05-11: Warwick Village Commons Phase II (Tractor Supply, York Rd & Meyer Way) – To Consider Escrow Release #4*

Michele Fountain, Township Engineer, stated that CKS Engineers recommends a reduction in the financial security for the Warwick Village Commons development in the amount of \$290,814.50.

Motion by Mr. Cox to approve escrow release #4 in the amount of \$290,814.50 for the Warwick Village Commons development. Second to motion by Mr. Thompson. Chair Algeo invited comment or discussion. There being none, the vote was called.

Motion passed unanimously.

→ *LD 04-07: Zimmer Luginbuhl (Almshouse & Valley Rds) – To Consider Maintenance Period Escrow Release*

Michele Fountain stated that this project has reached the end of its maintenance period and no improvements require repair or replacement; therefore, CKS Engineers recommends that the maintenance period financial security be released.

Motion by Mr. Cox to approve the maintenance period escrow release for the Zimmer Luginbuhl development. Second to motion by Mr. Thompson. Chair Algeo invited comment or discussion. There being none, the vote was called.

Motion passed unanimously.

→ *LD 03-06: Reuter & Hanney (149 Railroad Dr) – To Consider Escrow Release #1*

Michele Fountain stated that CKS Engineers recommends the financial security for the Reuter and Hanney development be released in the amount of \$9,141.00.

Motion by Mr. Cox to approve escrow release #1 in the amount of \$9,141 for the Reuter and Hanney development. Second to motion by Mr. Thompson. Chair Algeo invited comment or discussion. There being none, the vote was called.

Motion passed unanimously.

■ **OLD BUSINESS:**

Mr. Thompson asked if the Bucks County Creek Road bridge project has started. Chair Algeo informed the Board and public that the road is closed, and the bridge has been removed.

Mr. Seckinger stated that, since included in the budget for 2021, all township debts shall be paid in full by the end of January. Thereby, making the township 100% debt-free.

■ **NEW BUSINESS:** None

■ **PUBLIC COMMENT:**

Mr. and Mrs. Baker of 2601 Rushland Rd commented on the noise generated from Warwick Grinders by truck tailgates slamming throughout the day. They also had concerns regarding increased truck traffic. Chair Algeo asked that Mr. Seckinger discuss the Baker's concerns with Mr. Sparks.

■ **ADJOURNMENT:**

The January 18, 2021, Warwick Township Board of Supervisors' public meeting was adjourned at 7:30 p.m.

Respectfully submitted,



Kyle w. Seckinger, MPA
Township Manager

These minutes were approved at the Board of Supervisors' meeting held 2/15/21