

WARWICK TOWNSHIP
Board of Supervisors' Public Meeting Minutes
December 6, 2021

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

Others Present: Kyle Seckinger, MPA, Township Manager
Mark Goldberg, Chief of Police
William Oetinger, Esq., Township Solicitor
Michele Fountain, P.E., Township Engineer
Skye Sorresso, Assistant to the Manager

CALL TO ORDER:

The Warwick Township Board of Supervisors' December 6, 2021, public meeting was called to order at 6:58 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 litigation and personnel.

APPROVAL OF MINUTES:

→ *Monday, November 15, 2021, Board of Supervisors' Meeting Minutes*

Motion by Mr. Cox to approve the November 15, 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 reminded everyone that the Administration and Parks and Recreation offices will be closed for the winter holiday beginning Friday, December 24, 2021, and will reopen on Monday, January 3, 2022.

He added that the Board of Supervisors' Reorganization meeting will be held on Monday, January 3, 2022, at 7 PM.

Lastly, Mr. Seckinger announced the total donations received for the annual Shop with a Cop program.

CITIZEN COMMENT:

Mr. Ron Martin, of 1753 Old York Road addressed the Board regarding stormwater issues on his property that have worsened over time. Chair Algeo thanked Mr. Martin and let him know the Township would investigate and report back.

MANAGER'S REPORT:

→ 1. *LD 21-02: Spring Dance Hot Tubs (Lot 18, Warwick Business Campus) – To Consider Preliminary Plan Approval*

Mr. Seckinger provided a brief introduction to the project. The applicant first submitted preliminary plans on June 25, 2021. The plans propose a 14,720 square foot building for storage on Lot 18 within the Warwick Business Campus. The property consists of 2.19 acres in the Limited Industrial District. On August 4, 2021, the applicant presented their preliminary plan to the Planning Commission who recommended conditional preliminary approval and granting of the waivers requested. On November 8, 2021, the Township received a revised preliminary plan submission.

Ms. Julie Von Spreckelsen, attorney for the applicant, thanked Mr. Seckinger for the introduction. She introduced Mr. Jeff Bailey, on behalf of the applicant, and project engineer, Mr. Larry Byrne. She reiterated that the applicant proposes to construct a 14,720 square foot building with a partial second floor, forty-five (45) parking spaces, and associated stormwater facilities for an H3 Wholesale Business use. She added that despite the property's 2.19 acres, easements and buffers reduce the total developable space to 1.73 acres.

Regarding the CKS Engineers letter dated November 24, 2021, Ms. Von Spreckelsen stated that all items are 'will comply'. Mr. Seckinger asked Ms. Von Spreckelsen how the applicant intends to comply with section one (1), item seven (7) regarding impervious surface area. Ms. Von Spreckelsen clarified that the correct impervious surface area percentage is 80.2% and will be reduced by .2% to comply. Ms. Fountain reminded the applicant that the change must be indicated on the plan and will need to be verified.

Motion by Mr. Cox to grant preliminary plan approval for LD 21-02: Spring Dance Hot Tubs (Lot 18, Warwick Business Campus), subject to the following conditions:

1. **Compliance with the CKS Engineers Review Letter dated 11.24.21.**
2. **Compliance with the Staff Review Letter dated 11.24.21.**
3. **Approval of the waivers as requested in the Eastern Chadrow Associates, Inc. letter dated November 3, 2021:**
 - a. **Section 163-13 – To not require an Educational Impact Study, Transportation Impact Study, and Impact Assessment.**
 - b. **Section 163-24.B.2.a.1 – To permit a drawing scale of 1 inch to 30 feet.**
 - c. **Section 163-24.C.2. – To not be required to show features within 400 feet of the site.**
 - d. **Section 163-266.E.1. – To allow the proposed curb to be Belgium block curb.**
 - e. **Section 163.65 – To not require sidewalk along Campus Drive.**
 - i. **Fee-in-lieu of to be provided.**
 - f. **Section 163-24.B.2.b.9 – To not require the landscape plan to be prepared by a landscape architect.**
 - g. **Section 157.17.A.6 – To allow grading within 5 ft. of the property line.**

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

Motion passed unanimously.

→ 2. ZHB 21-08: Green Door Tattoo Studio (1700 Almshouse Rd) – To Consider Corridor Overlay District Approval

Mr. Seckinger introduced the project. At the October 5, 2021, Zoning Hearing Board meeting, the applicant received relief from the number of parking spaces required to allow the use. The relief was conditioned upon the following: the applicant shall convert the garage into a usable parking space, the applicant shall comply with the zoning ordinance regarding signage on the property, and that the applicant shall not use electronic message centers, neon, flashing, video, automated, electronic, graphic, changing, scrolling text or pictures as signage or part of the signage on the property. They are before the Board seeking Corridor Overlay District approval to erect their permanent sign along Almshouse Road.

Motion by Mr. Cox to grant Corridor Overlay District Approval to ZHB 21-08: Green Door Tattoo Studio (1700 Almshouse Rd). Second to motion by Mr. Thompson. Chair Algeo invited comment or discussion. There being none, the vote was called.

Motion passed unanimously.

→ 3. *ZHB 22-01: McDonald's Digital Menu Board (2395 York Rd) – For Zoning Review*

Mr. Seckinger presented ZHB 22-01: McDonald's Digital Menu Board (2395 York Rd) for the Board's consideration. The applicant proposes to replace the existing primary menu board and pre-browse menu board within the drive-through lane with a twenty (20) square foot digital menu board and a ten (10) square foot digital pre-browse board. Per the Warwick Township Zoning Ordinance, electronic message centers are prohibited within the Corridor Overlay District and electronic message centers with animated, scrolling, or moving video or graphics, or flashing lights are prohibited in all zoning districts. The application will go before the Zoning Hearing Board on January 4th, 2022.

Mr. Daniel Lyons, attorney for the applicant, thanked Mr. Seckinger for the introduction. He added that the applicant is seeking a variance from Section 195-95.E. to permit an electronic menu board in the Corridor Overlay District and a zoning determination regarding Section 195.95.F. because the proposed board will not have animated scrolling, moving video, graphics, or flashing lights.

Chair Algeo asked Mr. Lyons what the board would feature. Mr. Lyons replied that the board will allow the restaurant to change between the breakfast and lunch menus and will have no blinking lights.

Mr. Seckinger recommended the Board consider remaining neutral to the application, conditioned upon the applicant agreeing not to proceed with a zoning determination request, and a prohibition on non-McDonald's advertising on the message board.

Motion by Mr. Cox for the Board of Supervisors to remain neutral to Zoning Hearing Board Application 22-01: McDonald's Digital Menu Board (2395 York Road), subject to the following conditions:

1. **Applicant will not seek a zoning determination from the Zoning Hearing Board regarding Section 195.95.F.**
 - a. **Applicant will seek variances from Sections 195-95.E. and 195.95.F.**

2. **Menu Board will not be utilized for advertisement of products or services not offered by McDonald's.**
Second to motion by Mr. Thompson. Chair Algeo invited comment or discussion. There being none, the vote was called.

Motion passed unanimously.

→ 4. *ZHB 22-02: Ostroff (1908 York Rd) – For Zoning Review*

Mr. Seckinger provided a brief introduction to the project. The applicant submitted both a sketch plan and Zoning Hearing Board application and is before the Board seeking a zoning review. The plan proposes to subdivide the property into five (5) lots. Lot One would be developed as a G2 Day-Care Center use, which requires a special exception. Lot Two would remain as-is with an existing farmhouse, and Lots Three through Five would be new, single-family dwellings, with access from a cul-de-sac off York Road. The Director of Planning and Zoning and Zoning Officer, Brandy McKeever, performed a zoning review of the submitted plan. The following inconsistencies were identified:

- Common open space is not being provided; in the alternative, the applicant is requesting a fee-in-lieu. Per section 195-16.B(1)(a)[4] 20% of the area of the site is to be provided as common open space for subdivisions or land developments of more than three lots.
- The outdoor recreation area for the G2 – Day-care Center is being proposed along the frontage of Meyer Way. Per section 195-16.G(2)(c) this area shall be located to the side or rear of the lot.
- A buffer is not being proposed between the existing B1 – single-family dwelling to remain (identified as lot two (2)) and the proposed G2 – Day-care Center. Per section 195-63.D(4) at a minimum a Class B buffer shall be maintained along each side and/or rear property line where other than a B1 residential use directly abuts an existing residential use.
- A height for the G2 – Day-care Center has not been identified.

Mr. Seckinger added that the provided plans do not show sidewalks along Stony Road, Meyer Way, and York Road, which would be required unless a waiver is received.

Mr. Cox stated that he would like to remain neutral to the application, conditioned upon the prohibition of any further subdivision or development of lot two (2). The applicant agreed to comply with the condition.

Motion by Mr. Cox for the Board of Supervisors to remain neutral to Zoning Hearing Board Application 22-02: Ostroff (1908 York Rd) conditioned upon no further subdivision or development of Lot Two. Second to motion by Mr. Thompson. Chair Algeo invited comment or discussion. There being none, the vote was called.
Motion passed unanimously.

→ 5. *PDC Machines (1707 Stout Drive) – To Consider Installation of Reserve Parking*

Mr. Seckinger provided a brief introduction to the project. The Township has been made aware of excessive on-street parking associated with PDC Machines, located at 1707 Stout Road. The excessive parking has made maneuvering the Stout Drive Industrial Park more difficult for other businesses. Throughout 2021, the Warwick Police Department and Township Administration have received complaints regarding sight obstruction and vehicular circulation issues. Despite ongoing conversations with the owner of PDC Machines, there has been no improvement.

Mr. Seckinger added that the land development approval associated with LD 09-04: PDC Machines Addition (1707 Stout Drive) required nine reserve parking spaces. The Township Staff have recommended the Board require the installation of the nine reserve parking spaces due to accommodate PDC Machine's need for more off-street parking.

Motion by Mr. Cox to require the installation of reserve parking associated with LD 09-04: PDC Machines Addition (1707 Stout Drive) within 180 days. Second to motion by Mr. Thompson. Chair Algeo invited comment or discussion. There being none, the vote was called.
Motion passed unanimously.

→ 6. *Verizon Franchise Agreement & Ordinance 2021-03 – To Consider Adoption*

Mr. Seckinger presented the Verizon Franchise Agreement and Ordinance 2021-03 as previously approved for advertisement on November 15, 2021. With advertisement complete, Mr. Seckinger requested the Board's consideration to move forward with adoption.

Motion by Mr. Cox to adopt ORD 2021-03: Verizon Franchise Agreement, authorizing execution of the Cable Franchise Agreement. Chair Algeo invited comment or discussion. There being none, the vote was called.
Motion passed unanimously.

→ 7. *2021-2022 Snow Removal Bid (Snow Blowing Portion) – To Consider Award*

Mr. Seckinger presented the snow blowing portion of the 2021-2022 Snow Removal Bid that was rebid due to a contractor's bidding error. Two bids were received: Rockett Bros. Landscaping at \$95 per hour and Effluent Retrieval Services at \$75 per hour. Mr. Seckinger recommended award of the bid to both bidders.

Chair Algeo inquired about Effluent Retrieval Services' ability to travel to Warwick from Levittown during a severe winter weather event. Mr. Seckinger replied that the sidewalk crews are typically not called in until after the snow has finished, at which time there should not be much of an issue.

Motion by Mr. Cox to award the snow blowing portion of the 2021-2022 Snow Removal Bid to Rockett Bros. Landscaping and Effluent Retrieval Services. Second to motion by Mr. Thompson. Chair Algeo invited comment or discussion. There being none, the vote was called.
Motion passed unanimously.

→ *Bill Payments 12-06-2021*

Mr. Seckinger requested approval of the bill payments for December 6, 2021, totaling \$229,157.50, subject to audit.

Motion by Mr. Cox to approve the Bill Payments for December 6, 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:**

→ 1. *LD 08-07: Pucci (Lot 32, Warwick Business Campus) – To Consider Approval of Legal Agreements*

Mr. Oetinger presented three agreements relating to LD 08-07: Pucci (Lot 32, Warwick Business Campus) for Board approval: the Memorandum of Development Agreement, the Development Agreement, and the Stormwater Maintenance Agreement.

Mr. Cox asked why the project was moving forward with the agreements after a long hiatus. Mr. Oetinger replied that the applicant has finally decided to move forward with construction.

Motion by Mr. Cox approve the Memorandum of Development Agreement, Development Agreement, and Stormwater Maintenance Agreement for LD 08-07: Pucci (Lot 32, Warwick Business Campus). Second to motion by Mr. Thompson. Chair Algeo invited comment or discussion. There being none, the vote was called.

Motion passed unanimously.

■ **ENGINEER'S REPORT:**

→ 1. *LD 11-02: Warwick Mill – To Consider Acceptance of Punch List*

Ms. Fountain recommended acceptance of the punch list for LD 11-02: Warwick Mill.

Motion by Mr. Cox accept the punch list for LD 11-02: Warwick Mill. Second to motion by Mr. Thompson. Chair Algeo invited comment or discussion. There being none, the vote was called.

Motion passed unanimously.

■ **OLD BUSINESS:** None

■ **NEW BUSINESS:** None

■ **PUBLIC COMMENT:** None

■ **ADJOURNMENT:**

The December 6, 2021, Warwick Township Board of Supervisors' public meeting was adjourned at 7:38 p.m.

Respectfully submitted,


Kyle W. Seckinger, MPA
Township Manager

These minutes were approved at the
Board of Supervisors' meeting held 1/17