

**SOLEBURY TOWNSHIP BOARD OF SUPERVISORS**  
May 6, 2025 – 6:00 P.M.  
**Solebury Township Hall/Virtual - Hybrid Meeting**  
**MEETING MINUTES**

Attendance: Hanna Howe, Vice-Chair, Kevin Morrissey, John S. Francis, Christy Cheever, Christopher Garges, Township Manager, and Michele Blood, Assistant Township Manager. Mark L. Freed, Township Solicitor was also in attendance.

Absent: Mark Baum Baicker, Chair

The recording device was turned on.

**I. The meeting was called to order followed by the Pledge of Allegiance.**

**II. Approval of Bills Payable – May 1, 2025**

**Res. 2025-73 – Upon a motion by Mr. Francis, seconded by Mr. Morrissey, the list of Bills Payable dated May 1, 2025 was unanimously approved as prepared and posted.**

**III. Approval of Meeting Minutes – April 15, 2025**

**Res. 2025-74 – Upon a motion by Mr. Morrissey, seconded by Ms. Cheever, the Minutes of the April 15, 2025 meeting were unanimously approved and posted.**

**IV. Announcements / Resignations / Appointments**

Executive Session

Ms. Howe announced that an Executive Session was held May 6, 2025, prior to this meeting, dealing with Property Acquisition.

**V. Supervisor Comment**

- Ms. Howe announced that the Federal Grant Funds for the Emergency Boat Launch project at Hal Clark Park have been reinstated.

**VI. Presentation**

Aquetong Creek Park Habitat Project

Craig Sutton presented the *Aquetong Stream Revitalization: Proposal to Restore the Headwaters* (copy of which is attached) to the Board. Highlights of this presentation included: team introductions; summary of the why to restore the upper stretch of the stream; proposed changes to be made; process for the work; project costs; and requests asked of the Board of Supervisors.

Board members expressed support for the project. Discussion ensued on the cost of the project and prior Bucks County Trout Unlimited funding. Mr. Morrissey presented a history overview between the Township and Trout Unlimited.

Mr. Sutton presented the option to change the proposed amount to be covered by Solebury Township and Bucks County Trout Unlimited.

Mr. Francis comment on the Master Plan.

Mr. Morrissey asked that the Board table the discussion for a future meeting.

Stephen Phillips, resident, expressed support for the project. Mr. Phillips questioned the stream classification and commented on the availability of requesting donations.

John DeAndrea, resident, questioned the project objective. Mr. Sutton offered an overview of the work done by PrincetonHydro, background of the stream and overview of the proposed work.

The Board unanimously agreed to table the discussion until the next Board of Supervisors meeting.

## **VII. Public Hearing**

### Agricultural Use Ordinance – Authorization to Adopt

The proposed ordinance amends the Solebury Township Zoning Ordinance to create provisions for agricultural accessory uses; and to amend the table of uses to permit agricultural accessory uses in all zoning districts where agriculture is permitted.

The Board expressed gratitude to the Planning Commission and Farm Committee for their work on the ordinance.

Michael Celec, Executive Director of the Bucks County Audubon Society, expressed support for the ordinance.

Josh Perlsweig, Farm Committee Chairman, expressed gratitude to all parties involved in the ordinance development. Mr. Perlsweig expressed support for the ordinance and commented on the clarity and protection it offers farmers.

Stephen Phillips, resident, expressed gratitude to the Board and Farm Committee. Mr. Phillips expressed support for the ordinance and asked that the Board consider an increase in the guest count for agricultural events.

**Res. 2025-75 – Upon a motion by Mr. Francis, seconded by Mr. Morrissey, it was unanimously agreed to adopt the Agricultural Use Ordinance.**

## **VIII. New Business**

### Permit Department Renovations – Authorization to Release Payment No. 1

Township Consultant, Phillips & Donovan Architects, LLC reviewed the payment request regarding completed construction items for the Solebury Township Municipal Building Alterations.

**Res. 2025-76 – Upon a motion by Mr. Francis, seconded by Mr. Morrissey, it was unanimously agreed to approve the release of payment approved by Phillips & Donovan Architects, LLC. for completed construction items by Integrity Mechanical, S&S Building Group and S&S Electrical Services, Inc. for the Solebury Township Municipal Building Alterations.**

### Authorization to Prepare Bid Specifications and Advertise – 2025 Road Program

**Res. 2025-77 – Upon a motion by Ms. Cheever, seconded by Mr. Francis, it was unanimously agreed to authorize the Township Administration and Township Engineer to prepare and advertise the bid for the 2025 Road Program as noted below:**

- **Cape Seal Only**

- Creekside Drive
- Norwalk Way
- Tori Court
- Windmere Way
- Jason Court
- Tyler Court
- Austin Court
- Adam Court
- Edgely Court
- Brighton Way
- Kirkwood Lane
- Sydni Court
- Kitchens Lane

**IX. Public Comment**

- Marisa Cloutier, resident, expressed concerns regarding extreme weather events and overall climate change preparedness.

**X. Adjournment**

The meeting was adjourned at 7:01 pm.

Respectfully submitted,  
Catherine Cataldi, Secretary

# Aquetong Stream Revitalization: Proposal to Restore the Headwaters



**Solebury**  
a natural choice



May 6, 2025 @ 6:00 PM Board of Supervisors Meeting Minutes



# Team

- Jeff Neamand – BCTU Board Member
- Kevin Randall – BCTU Board Member
- Jim Searing - AWA Board Member, Solebury Supervisor '11-'17
- Craig Sutton – BCTU Board Member, AWA Board Member
- Michael Zolkewitz – AWA Board Member on ASP Committee '19-'22

# **Why Restore the Upper Stretch? - Summary**

- Allow the stream to reach its potential and serve as the centerpiece for the park and an environmentally focused township**
- Enhance the stream habitat to improve the likelihood of a successful and unique native brook trout reintroduction**
- A restored, healthy stream can serve as a bellwether for water quality and watershed health**
- Complete the work from 2019 and the recommendations in the 2018 Park Strategic Plan**

# **What Changes will be Made? - Summary**

- Stream structures will be installed throughout the first 750' below the spring, connecting to the section restored in 2019**
- The structures will serve to stabilize the banks and increase habitat for all aquatic species**

# How Will it be Done and What will it Cost?

## Summary

- If approval is received from the Board of Supervisors, Solebury Twp will pursue permits from HMAC, DEP and BCCD
- BCTU and Solebury Township will contract with Flyways Excavating to install the stream structures
- Total costs are estimated at \$38k
  - Solebury will contract for the \$20k
  - BCTU will contract for \$18k
- Timing – targeting late summer or early winter. Alternatively, spring of '26

# Requests

- **Asking for approval to proceed with permitting to implement the stream restoration**
- **Asking for support to continue monitoring efforts to understand stream health which provides insights to optimize Aquetong Stream and enhance the centerpiece of Aquetong Park**

ORDINANCE NO. 2025-006

**AN ORDINANCE OF SOLEBURY TOWNSHIP, AMENDING THE SOLEBURY TOWNSHIP ZONING ORDINANCE OF 1988, AS AMENDED, TO CREATE PROVISIONS FOR AGRICULTURAL ACCESSORY USES; AND TO AMEND THE TABLE OF USES TO PERMIT AGRICULTURAL ACCESSORY USES IN ALL ZONING DISTRICTS WHERE AGRICULTURE IS PERMITTED**

**B A C K G R O U N D:**

**A.** Pursuant to statutory authority, the Pennsylvania Municipalities Planning Code (the “MPC”), Act 247 of 1968, as amended (53 P.S. §10101 et seq.), the Township of Solebury has enacted the Solebury Township Zoning Ordinance of 1988, which, from time to time has been amended, (the “SOLEBURY ZONING ORDINANCE”).

**B.** Pursuant to Section 606 of the MPC (53 P. S. §10606) the Board of Supervisors of Solebury Township makes the following legislative findings and determines them to be Statements of Community Development Objectives:

1. Farms are a key part of the rural character, scenic backdrop and community values of Solebury Township. Our farms provide open space and iconic natural farm landscapes for which Bucks County is known. Local food and farm experiences are a core part of the fabric and allure of Solebury Township. In addition to the community benefits, thriving farms deliver significant economic value in the form of reduced development density, less demand on public services, lower taxes, and reduced stormwater runoff with less flood risk and damage.

2. Small farms face an economic crisis national in scope and particularly acute for small farms like those in Solebury Township. The latest U.S. Department of Agriculture Census of Agriculture reported that Pennsylvania lost more than 4000 farms in the last five years, twice the rate of loss of surrounding states. Less than half (43%) of small farms had positive net cash farm income. Secretary of Agriculture Tom Vilsack, at a data release event on February 13, 2024, called the census findings a “wake-up call” for the industry, policymakers, and politicians. High labor, land and production costs and changing expectations of food and farming have squeezed farmers to the point that many find it impossible to remain economically sustainable. Economic viability of small local farms for this generation turns on value-added farm products and marketing and on-farm experiences to meet community demand and provide necessary revenue to sustain the farms. The Commonwealth has declared that it is its policy to conserve, protect, and encourage development and improvement of its agricultural land for food production and other agricultural products.

3. The Right to Farm Act (3 P. S §§951-957) defines “Normal agriculture operation” as including “[t]he activities, practices and procedures that farmers adopt, use or engage in the production and preparation for market of poultry, livestock and their products and in the production, harvesting and preparation for market or use of agricultural, agronomic, horticultural, silvicultural and aquacultural crops and commodities . . . .” (3 P.S. §952).

4. To be protected under the Right To Farm Act, a farm must be (1) not less than ten contiguous acres in area; or (2) less than ten contiguous acres in area but have an anticipated yearly gross income of at least \$10,000.

5. Section 603 (h) of the Pennsylvania Municipalities Planning Code provides that “[z]oning ordinances shall encourage the continuity, development and viability of agricultural operations. Zoning ordinances may not restrict agricultural operations or changes to or expansions of agricultural operations in geographic areas where agriculture has traditionally been present unless the agricultural operation will have a direct adverse effect on the public health and safety.

6. Section 313 of the Agriculture, Communities and Rural Environment Act (“ACRE”) (3 Pa. Cons Stat. §§311-318) prohibits local governments from adopting an “unauthorized local ordinance”.

7. Section 312 of the ACRE Law defines “Unauthorized local ordinance” as an ordinance enacted or enforced by a local government unit which prohibits or limits a normal agricultural operation unless the local government unit has expressed or implied authority under State law to adopt the ordinance and is not prohibited or preempted under State law from adopting the ordinance.

8. In the context of modern agricultural practices, activities that add value to a farm operation are essential to the viability of agricultural operations.

C. It is the purpose of this Ordinance to allow a broad range of farm uses, consistent with public health and welfare, and to support the economic viability and community enjoyment of local farms.

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED**, and it is hereby **ENACTED AND ORDAINED** by the Board of Supervisors of Solebury Township, Bucks County, Pennsylvania, as follows:

**Section 01: Chapter 27 Section 202 (§27-202) Definition of Terms** is amended to insert the following definitions in alphabetical order within this Section:

**AGRICULTURAL ACCESSORY USE** A use conducted on the same lot or farm as a principal agricultural use to which it is related. A use which is clearly incidental to, and customarily found in connection with a particular principal agricultural use on a lot. The agricultural accessory uses described in §27-2603.1.A of this Ordinance are specifically declared to be agricultural accessory uses.

**COMMUNITY SUPPORTED AGRICULTURE (CSA)** A community of consumers who support a farm operation by paying for a share of the farm’s production..

**FARM** Lots or tracts of contiguous land, singly or combined, on which agriculture is a primary use and which contains not less than ten contiguous acres in the aggregate **OR** is less than 10 contiguous acres but has anticipated yearly gross income of at least \$10,000.

**NORMAL AGRICULTURE OPERATION** The activities, practices, equipment and procedures that farmers adopt , use or engage in the production and preparation for market of poultry, livestock and their products and in the production, harvesting and preparation for market or use of agricultural, agronomic, horticultural, silvicultural and aquacultural crops and commodities.

**Section 02: The requirements for the RA, Residential/Agricultural District are amended as follows:**

**§27-402 Use Regulation, Sub-Section B. Permitted Accessory Uses (2) is deleted and the following is inserted in its place:**

(2) Permitted Agricultural Accessory Uses shall be those uses described in §27-2603 1.A of this Ordinance.

**Section 03: The requirements for the RB, Residential/Agricultural District are amended as follows:**

**§27-602 Use Regulation, Sub-Section B. Permitted Accessory Uses (2) is deleted and the following is inserted in its place:**

(2) Permitted Agricultural Accessory Uses shall be those uses described in §27-2603 1.A of this Ordinance.

**Section 04: The requirements for the VR-C Carversville Residential District are amended as follows:**

**§27-902 Use Regulation, Sub-Section B. is amended to add:**

(7) Permitted Agricultural Accessory Uses shall be those uses described in §27-2603 1.A of this Ordinance.

**Section 05: The requirements for the RD-C Residential Development-Conservation District are amended as follows:**

**§27-1102 Use Regulation, Sub-Section 1.A Permitted Principal Uses is amended to add the following:**

(7) Agricultural uses and buildings, subject to the area and bulk requirements of § 27-604, and to Part 26.

**§27-1102 Use Regulation, Sub-Section B. Permitted Accessory Uses is amended to add the following:**

(7) Permitted Agricultural Accessory Uses shall be those uses described in §27-2603 1.A of this Ordinance.

**Section 06: The requirements for the VC-C Carversville Village Commercial are amended as follows:**

**§27-1302, Sub-Section B. Permitted Accessory Uses is amended to add the following:**

(8) Permitted Agricultural Accessory Uses shall be those uses described in §27-2603 1.A of this Ordinance.

**Section 07: The requirements for the Aquetong Village Commercial District are amended as follows:**

**§27-1402 Sub-Section B. Permitted Accessory Uses is amended to add the following:**

(6) Permitted Agricultural Accessory Uses shall be those uses described in §27-2603 1.A of this Ordinance.

**Section 08: The requirements for the QA Quarry/Agricultural District are amended as follows:**

**§27-1802 Sub-Section B. Permitted Accessory Uses is amended to add the following:**

(5) Permitted Agricultural Accessory Uses shall be those uses described in §27-2603 1.A of this Ordinance.

**Section 09: The requirements for the OR-Outdoor Recreational District are amended as follows:**

**§27-1902 Sub-Section B. Permitted Accessory Uses is amended to add the following:**

(6) Permitted Agricultural Accessory Uses shall be those uses described in §27-2603 1.A of this Ordinance.

**Section 10: The requirements for the MS Municipal Services District are amended as follows:**

**§27-2002 Sub-Section B. Permitted Accessory Uses is amended to add the following:**

(4) Permitted Agricultural Accessory Uses shall be those uses described in §27-2603 1.A of this Ordinance.

**Section 11: §27-2603 Accessory Uses, Buildings and Structures, sub-section 1.A is deleted and the following is inserted in its place:**

A. Uses Accessory to Agriculture.

Agricultural accessory uses in existence on the effective date of this Zoning Ordinance Amendment do not require a zoning permit, unless enlarged or have been discontinued. As indicated hereafter, certain agricultural accessory uses established after the effective date of this Ordinance require a zoning permit. Amplified music or sound must comply with the requirements of Chapter 10, Part 2, Excessive Noise and other Nuisances of the Solebury Codified Ordinances, §§10-201 through 10-206.

1. Roadside stands for sale of agricultural products grown on-site:

- a. Maximum size of farm stand 400 square feet.
- b. Must provide safe means of access.
- c. Must provide off-street parking per § 27-2301.E(16).
- d. Roadside stands established or enlarged after the effective date of this Ordinance that are erected for more than 120 days in a calendar year require zoning permit

2. Agricultural sale of farm products grown on the farm by the farm operator from an accessory farm building having a maximum floor area devoted to the sale of farm products no greater than 3,000 square feet.

- a. At least 50% of sales must be farm products grown or produced on the farm where the sale is occurring.
- b. Uses established or enlarged after the effective date of this Ordinance require zoning permits.

3. Events and activities that support agricultural uses conducted on the farm and sale of products created from agricultural production or used on the farm which include the following:

- a. Community Supported Agriculture.
- b. Pick your own activities.
- c. Farm to Table events that showcase meals prepared from local farm products.
  - i. Must meet Board of Health requirements.
  - ii. Must obtain an annual zoning permit for events to be held after the effective date of this Ordinance which serve more than 25 guests or occur more than three times per month.
  - iii. Can be held indoors or outdoors.
  - iv. Must possess appropriate license for event if BYOB permitted or alcohol service is being provided.
- d. May include tours of facilities, educational seminars, workshops and similar activities.

- e. Day camps with no more than 25 participants and held no more than 5 days per month.
    - i. An annual zoning permit is required for events to be held after the effective date of this Ordinance.
  - f. Seasonal festivals and activities associated with products produced on a farm.
  - g. Cooking, canning, freezing classes and other events that demonstrate how farm products can be prepared and preserved.
  - h. Hayrides.
  - i. Auction of Agricultural products.
    - i. No zoning permit required for up to 4 such auctions per month.
  - j. Sale of seed, fertilizer and other agriculture products, farm equipment or the repair thereof, accessory to a farming operation.
4. Production and Sale of wine, cider, distilled spirits and beer from crops grown on the Property.
- a. Zoning permit required.
  - b. Must be accessory and subordinate to primary use of farm for crop production and operated by farmer conducting farming operation.
  - c. Must contain at least 50% of product grown on farm.
  - d. Proof required that license from Pa. Liquor Control Board has been obtained from operator must have adequate parking for attendees.
  - e. Food service requires Board of Health approval.
  - f. Minimum tract or lot area: 10 acres. Minimum area actively devoted to growing crops used in production of alcoholic beverage 3 acres. Alternatively, if the area is less than 10 contiguous acres or the area where crops are grown for production of alcoholic beverages is less than 3 acres this condition can be satisfied by establishing that the farm operator anticipates gross annual income of at least \$10,000.00 from farming activities.
  - g. Must be on same tract or tracts as primary farm use.
  - h. Tasting rooms/ gathering space - size limited to 3,000 square feet.
  - i. May include tours of facilities, educational seminars, workshops and similar activities

## 5. SPECIAL EVENTS

Special Events are events that may not have a direct connection to a normal agricultural operation, but which permit a farm operator to add value to agricultural production occurring on a farm. Examples include: Wedding receptions, parties, corporate events, entertainment and other events.

- a. An annual zoning permit is required for events that accommodate more than 100 attendees. Events that accommodate 100 attendees or less are allowed without the need for Zoning Permit.
- b. A maximum of eight (8) events that accommodate more than 100 attendees is permitted in any calendar year.
- c. Events must occur on property with established agricultural use.
- d. Events can only be conducted by the owner or operator of the property where the event occurs.
- e. The owner or operator shall be present on the property for the duration of the event.
- f. The owner or operator shall provide adequate parking for customers or attendees. Parking is not permitted within the right of way of any street.
- g. The owner or operator of the event must have on the property adequate toilet facilities meeting Board of Health standards.
- h. If food is served, food service must comply with Board of Health requirements
- i. If property is subject to a conservation easement, the owner/operator must establish that use is permitted by conservation easement.
- j. Events are only permitted between 10:00 a.m. and 10:00 p.m.
- k. The minimum tract or lot area is 25 acres
- l. No part of the event, including parking, shall take place within 100 feet of an occupied off-premises residence.
- m. Amplified music or sound must comply with the requirements of Chapter 10, Part 2, Excessive Noise and other Nuisances of the Solebury Codified Ordinances, §§10-201 through 10-206. Applicants for a Zoning Permit shall provide sufficient information as to how this condition will be met.

n. Events may be wholly indoors or outside .

o. Fireworks displays are not permitted

p. Applicants for a zoning permit shall present to the zoning officer plans and materials sufficient to evaluate how the event will comply with the conditions stated in paragraph 6.b-o hereof. To obtain a zoning permit, the applicant must establish to the satisfaction of the Solebury Township Zoning Officer that the conditions stated in paragraph 6 b-o will be met.

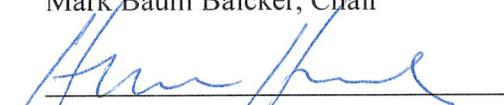
**Section 12:** All inconsistent provisions of other ordinances or resolutions are repealed to the extent of the inconsistency. All other provisions of the ordinances of Solebury Township, shall remain in full force and effect.

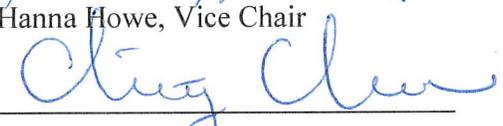
**Section 13:** The provisions of this ordinance are declared to be severable. If any provision of this ordinance is declared to be invalid or unconstitutional by a court of competent jurisdiction, such determination shall have no effect on the remaining provisions of this ordinance.

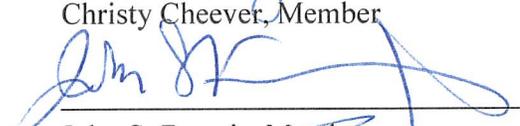
**Section 14:** This ordinance shall be effective five (5) days after adoption..

**ORDAINED and ENACTED** this 6th day of May, A.D., 2025.

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Mark Baum Baicker, Chair

  
\_\_\_\_\_  
Hanna Howe, Vice Chair

  
\_\_\_\_\_  
Christy Cheever, Member

  
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John S. Francis, Member

  
\_\_\_\_\_  
Kevin Morrissey, Member

Attest:

  
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Catherine Cataldi, Township Secretary