

**SOLEBURY TOWNSHIP BOARD OF SUPERVISORS**  
May 7, 2024 – 6:00 P.M.  
**Solebury Township Hall/Virtual - Hybrid Meeting**  
**MEETING MINUTES**

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

The recording device was turned on.

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

**II. Approval of Bills Payable – April 11, 2024 and May 2, 2024**

**Res. 2024-73 – Upon a motion by Mr. Francis, seconded by Mr. Morrissey, the list of Bills Payable dated April 11, 2024 and May 2, 2024 were unanimously approved as prepared and posted.**

**III. Approval of Meeting Minutes – March 19, 2024 and April 2, 2024**

**Res. 2024-74 – Upon a motion by Mr. Francis, seconded by Ms. Howe the Minutes of the March 19, 2024 and April 2, 2024 meetings were unanimously approved as prepared and posted.**

**IV. Announcements / Resignations / Appointments**

Executive Session

Mr. Baum Baicker announced that an Executive Session was held April 2, 2024 immediately following the Board of Supervisors meeting dealing with Personnel Matter.

Mr. Baum Baicker announced that an Executive Session was held April 18, 2024, dealing with Zoning and Personnel Matters.

Mr. Baum Baicker announced that an Executive Session was held May 7, 2024 prior to the Board meeting dealing with Land Preservation Matters.

Resignation of Scott Blank from the Environmental Advisory Council

The Board expressed gratitude to Mr. Blank for his service on the Environmental Advisory Council.

**Res. 2024-75 Upon a motion by Mr. Cheever, seconded by Mr. Morrissey, it was unanimously agreed to accept the resignation of Scott Blank from the Environmental Advisory Council effective immediately.**

Appointment of Barry Fetterolf as Voting Member to the Environmental Advisory Council

**Res. 2024-76 – Upon a motion by Mr. Baum Baicker, seconded by Mr. Morrissey, it was unanimously agreed to appoint Barry Fetterolf, resident, without compensation to the Environmental Advisory Council to fill the vacancy resulting from the resignation of Scott Blank for term ending December 31, 2025.**

**V. Supervisor Comment**

- Ms. Howe announced her intent to explore the Indigenous People’s history of Solebury Township. Ms. Howe plans to collaborate with the Lenape Nation and the Solebury Township Historical Society during this process.
- Mr. Francis commented on the information offered by the Audubon Society – Honey Hollow regarding species found on the property over the years.

## VI. Presentation

### Penn State Local Climate Action Plan Presentation

Lisnormary Loubriel Perez and Nattalie Paige McShan presented the Spring 2024 Local Climate Action Plan (LCAP) Report: Energy Transition Plan Review (copy of which is attached). Highlights of the presentation included: Executive Summary; ClearPath Methodology; SWOT Analysis of the Energy Transition Plan; and Recommended Strategy Priorities.

The Board expressed gratitude to Ms. Perez and Ms. McShan.

Mr. Garges expressed gratitude and recognized Brandi J Robinson and Kate Robeson-Grubb for their work along with Ms. Perez and Ms. McShan. Mr. Garges questioned whether the Township would receive a copy of the LCAP Report and whether the Township would continue to have access to the Clear Path software.

Ms. Robinson and Ms. Robeson-Grubb expressed gratitude to each other.

## VII. Public Hearing

### Short Term Lodging Ordinance Amendment – Authorization to Adopt

The proposed ordinance amends the Solebury Township Zoning Ordinance regarding short-term lodging facilities.

Mr. Freed gave an overview of the amendment to the ordinance and the exhibits.

**Res. 2024-77 – Upon a motion by Mr. Baum Baicker, seconded by Mr. Morrissey, it was unanimously agreed to adopt the Short Term Lodging Ordinance Amendment.**

## VIII. Old Business

### Naming of the Route 202 Property

At the April 2, 2024 Board meeting the Supervisors agreed to request the Solebury Township Parks & Recreation Board to review and supply the Board of Supervisors with their feedback on designating the 202 Property either Solebury Center Park or Solebury Central Park.

*On a motion by Dan Dupont, second Dan Morrin, Jr., the Board of Parks and Recreation recommends that the Supervisors consider additional alternates to the two names submitted.*

Karen Matejik, resident, suggested that the park be named after a feature of the park.

**Res. 2024-78 – Upon a motion by Mr. Morrissey, seconded by Mr. Baum Baicker, it was unanimously agreed to request the Solebury Township Parks & Recreation Board provide one (1) or several name options for the Route 202 Park Property, with the stipulations that it cannot be named after an**

individual and that it must contain Solebury in the name. The submission from the Parks & Recreation is requested by the June 18, 2024 Board meeting.

**IX. New Business**

Land Preservation – Dietterich Property (6750 Phillips Mill Road, TMP #s 41-013-107 & 41-013-099-003) – Resolution for Approval of Acquisition of Conservation Easement

The property consists of 12.98 acres located on Phillips Mill Road. Margaret Dietterich has agreed to the conservation easement purchase price of two hundred and sixteen thousand seven hundred and forty-two dollars (\$216,742.00). The Board approved the Agreement of Sale for a Conservation Easement on the Dietterich property at the April 2, 2022 Board of Supervisors meeting.

**Res. 2024-79 – Upon a motion by Mr. Morrissey, seconded by Ms. Howe, it was unanimously agreed to approve the Resolution for Approval of Acquisition of Conservation Easement (copy of which is attached) on the Dietterich Property (6750 Phillips Mill Road, TMP # 41-013-107 & 41-013-099-003).**

Authorization to Prepare and Advertise Bid Specifications – 2024 Road Program

**Res. 2024-80 – Upon a motion by Mr. Baum Baicker, seconded by Ms. Howe, it was unanimously agreed to authorize the Township Administration and Township Engineer to prepare and advertise the bid for the 2024 Road Program as noted below:**

- **Crack Sealing and Cape Seal**
  - Canal Walk Development (Towpath Way, Millstone Court, Wheatsheaf Court, Water Wheel Court)
  - Fox Run Estates (Fox Tail Court)
- **Cape Seal Only**
  - Marshall Lane
  - Ephross Circle
  - Logus Lane
- **Mastic Inlet Repair (82 inlet boxes) and Crack Seal**
  - Northe Pointe Development (all roads- Creekside Drive, Norwalk Way, Tori Court, Windmere Way, Jason Court, Tyler Court, Austin Court, Adam Court, Brighton Way, Kirkwood Lane, Sydni Court, Kitchens Lane, Edgely Court)
- **Double Tar and Chip Seal Coat**
  - Sawmill Road (between Aquetong and Street Road)
- **Ultra-Thin Bonded Wearing Course Paving**
  - Taylor Lane

Comprehensive Park, Recreation, Open Space, Trail and Greenway Plan Committee – Amendment to Committee Members

**Res. 2024-81 – Upon a motion by Ms. Howe, seconded by Ms. Cheever, it was unanimously agreed to amend the Comprehensive Park, Recreation, Open Space, Trail and Greenway Plan Committee to add one (1) Land Preservation Committee member. The committee shall be 10 members, composed of the following:**

- **Parks & Recreation Director**
- **One (1) Parks & Recreation Board member**
- **One (1) Land Preservation Committee member**
- **One (1) Environmental Advisory Committee member**
- **One (1) Planning Commission member**
- **One (1) member from the New Hope Solebury School District (board member, admin, faculty)**

- **Two (2) “at large” members from the Solebury Township Business Community**
- **Two (2) “at large” members from youth groups, students, senior citizen groups, HOA’s, and/or religious groups within Solebury Township**
- **One (1) Supervisor Liaison, Not Required Membership**
- **Open Invitation, Not Required Membership: Bucks County Parks & Recreation**

Discussion – Newtown Area Jointure Comprehensive Plan

Solebury Township received the Newtown Area Jointure draft Comprehensive Plan, which consists of Wrightstown Township, Newtown Township and Upper Makefield Township. Section 302 of the Municipalities Planning Code requires that the proposed Comprehensive Plan be sent to contiguous municipalities and school districts for review.

Jean Weiss reviewed the document with the Chairman of the Planning Commission and they determined that there were no issues with compatibility.

**Res. 2024-82 – Upon a motion by Mr. Baum Baicker, seconded by Mr. Morrissey, it was unanimously agreed to authorize Township Administration to notify the Newtown Area Jointure that Solebury Township has no issues with the presented Comprehensive Plan.**

Murphy Zoning Hearing Board Application – Authorize Solicitor to Attend

The applicants Patrick & Anna Murphy, are requesting a variance from the requirements of Sections 27-2510.3.C and 27-2510.5.A to permit the 614 square foot, one story addition to the existing single-family dwelling on the property located at 2445 River Road, New Hope, Solebury Township, Bucks County and identified as Tax Parcel No. 41-028-072-001.

Anna Murphy, applicant, offered a brief overview of the project and introduced herself to the Board.

**Res. 2024-83 – Upon a motion by Mr. Francis, seconded by Mr. Morrissey, the Board authorized the Township Solicitor to attend the Murphy Zoning Hearing Board application hearing/s to represent the interest of the Board of Supervisors in this matter. Mark Baum Baicker abstained.**

Appointment of Thomas Comitta Associates, Inc. as Township Planning Consultant

**Res. 2024-84 – Upon a motion by Mr. Baum Baicker, seconded by Mr. Francis, it was unanimously agreed to appoint Thomas Comitta Associates, Inc (TCA) as a Township Planning Consultant, specifically, to complete the Alternative Energy Ordinance and the EV Charging Ordinance.**

Appointment of Consultant for the Route 202 Property Park Master Plan

Township Administration received four proposals for the Professional Design Services for the Route 202 Property. The proposals were evaluated following the selection criteria specified in the Request for Proposal.

**Res. 2024-85 – Upon a motion by Mr. Morrissey, seconded by Mr. Francis, it was unanimously agreed to appoint SALT Design Consulting as Township Consultant for the master planning of the Route 202 Property located at 6516 Lower York Road, Solebury PA 18963.**

**X. Public Comment**

Evan Rose, resident, was in attendance with his wife Jessica and Karen Matijek. Mr. Rose commented on the proposed Buckingham Spray Field. Conversation ensued. The Board advised that this topic will be on the May 21, 2024 Board agenda to authorize Township Administration to draft and send a letter

to Buckingham Township requesting to be included in all appropriate communications involving the proposed wastewater spray irrigation field.

**XI. Adjournment**

The meeting was adjourned at 7:14 pm.

Respectfully submitted,  
Catherine Cataldi, Secretary

ORDINANCE NO. 2024-002

**AN ORDINANCE OF THE TOWNSHIP OF SOLEBURY,  
BUCKS COUNTY, PENNSYLVANIA, AMENDING THE  
SOLEBURY TOWNSHIP ZONING ORDINANCE  
REGARDING SHORT-TERM LODGING FACILITIES**

**WHEREAS**, Section 1516 (53 P.S. Section 66516) of the Pennsylvania Second Class Township Code provides that the corporate powers of the Board of Supervisors of Solebury Township (the “Board of Supervisors”) include the ability to plan for the development of the Township through Zoning, Subdivision, and Land Development Regulations under the Act of July 13, 1968 (P.L. 805, No. 247), known as the “Pennsylvania Municipalities Planning Code”;

**WHEREAS**, Section 1601 of the Second Class Township Code provides that the Board of Supervisors may adopt Ordinances in which general or specific powers of the Township may be exercised, and, by the enactment of subsequent Ordinances, the Board of Supervisors may amend, repeal, or revise existing Ordinances (53 P.S. Section 66601);

**WHEREAS**, the proposed amendments are geared toward fulfilling the Township’s obligations under Article I, Section 27 of the Pennsylvania Constitution, and of protecting the public health, safety, and welfare of Township citizens; and

**WHEREAS**, the proposed amendments have been advertised, considered, and reviewed in accordance with Municipalities Planning Code Section 609 (53 P.S. Section 10609);

**NOW THEREFORE**, in consideration of the foregoing, be it **ENACTED** and **ORDAINED** by the Board of Supervisors of Solebury Township, Bucks County, Pennsylvania, as follows:

**I. Chapter 27** of the Township Code of Ordinances is hereby **AMENDED** as follows:

**A. AMEND** Section 27-402 of the Zoning Ordinance as follows:

1. **ADD** the words “primary residence” to 27-402.1.C.(7) so that it reads: “Bed-and-breakfast inn/small short-term lodging facility (accessory to only single-family detached or two-family dwellings used as a primary residence, or agricultural uses; accessory uses must still comply with the principal use standards in § 27-2602, Subsection 100).”

**B. AMEND** Section 27-602 of the Zoning Ordinance as follows:

1. **ADD** the words “primary residence” to 27-602.1.C.(9) so that it reads: “Bed-and-breakfast inn/small short-term lodging facility (accessory to only single-family detached or two-family dwellings used as a primary residence, or agricultural uses; accessory uses must still comply with the principal use standards in § 27-2602, Subsection 100).”

- C. AMEND** Section 27-702 of the Zoning Ordinance as follows:
- ADD** the words “single family attached, or two-family” to 27-702.1.C.(3) and remove the words “or agriculture” from 27-702.1.C.(3), so that it reads: “Bed-and-breakfast inn/small short-term lodging facility (accessory to only single-family detached, single family attached, or two-family dwellings used as a primary residence; accessory uses must still comply with the principal use standards in § 27-2602, Subsection 1OO).”
- D. AMEND** Section 27-902 of the Zoning Ordinance as follows:
- ADD** the words “or two-family” to 27-902.1.C.(3) and remove the words “or agriculture” from 27-902.1.C.(3), so that it reads: “Bed-and-breakfast inn/small short-term lodging facility (accessory to only single-family detached or two-family dwellings used as a primary residence; accessory uses must still comply with the principal use standards in § 27-2602, Subsection 1OO).”
- E. AMEND** Section 27-1202 of the Zoning Ordinance as follows:
- ADD** the words “or twin” to 27-1202.1.C.(5) and remove the words “or agriculture” from 27-1202.1.C.(5), so that it reads: “Bed-and-breakfast inn/small short-term lodging facility (accessory to only single-family detached or twin dwellings used as a primary residence; accessory uses must still comply with the principal use standards in § 27-2602, Subsection 1OO).”
- F. AMEND** Section 27-1302 of the Zoning Ordinance as follows:
- ADD** the words “or two-family” to 27-1302.1.C.(6) so that it reads: “Bed-and-breakfast inn/small short-term lodging facility (accessory to only single-family detached or two-family dwellings used as a primary residence, or to agriculture; accessory uses must still comply with the principal use standards in § 27-2602, Subsection 1OO).”
- G. AMEND** Section 27-1602 of the Zoning Ordinance as follows:
- REMOVE** 27-1602.1.A.(9) (Bed-and-breakfast inn/small short-term lodging facility).
  - STRIKE** the words “bed-and-breakfast inn/small short-term lodging facility;” from 27-1602.1.B.(4) so it reads “Banquet, catering, or event use (accessory only to hotel, motel, or inn/large short-term lodging facility; or restaurant; accessory uses must still comply with the principal use standards in § 27-2602, Subsection 1QQ”).
  - RENUMBER** 27-1602.1.A.(10) through 27-1602.1.A.(20) to 27-1602.1.A.(9) through 27-1602.1.A.(19).

**II. Partial Repealer**

All other provisions of the Ordinances of Solebury Township, as amended, shall remain in full force and effect. All other Ordinances or provisions of the Ordinance inconsistent herewith or in conflict with any of the terms hereof are, to the extent of said inconsistencies or conflicts, hereby specifically repealed.

**III. Severability**

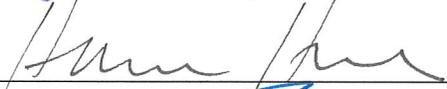
The provisions of this Ordinance are severable. If any section, clause, sentence, part or provision thereof shall be held illegal, invalid, or unconstitutional by a court of competent jurisdiction, such decision of the court shall not affect or impair any of the remaining sections, clauses, sentences, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Board of Supervisors that this Ordinance would have been adopted if such illegal, invalid, or unconstitutional section, clause, sentence or part of a provision had not been included herein.

**IV. Effective Date**

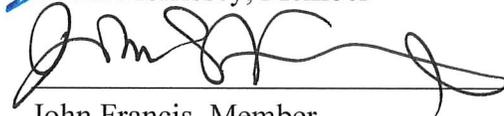
All provisions of this Ordinance shall be in full force and effect five (5) days after the approval and adoption.

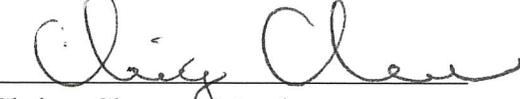
**ORDAINED AND ENACTED** this 7th day of May, 2024.

  
\_\_\_\_\_  
Mark Baum Baicker, Chair

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

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

  
\_\_\_\_\_  
John Francis, Member

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

Attest:

  
\_\_\_\_\_  
Catherine Cataldi, Township Secretary

**RESOLUTION NO. 2024-79**

**RESOLUTION OF THE BOARD OF SUPERVISORS  
OF SOLEBURY TOWNSHIP AUTHORIZING THE ACQUISITION OF A  
CONSERVATION EASEMENT ON PARCEL NUMBERS 41-013-107 and 41-013-099-003,  
COMPRISING 12.98 ACRES IN SOLEBURY TOWNSHIP,  
BUCKS COUNTY, PENNSYLVANIA**

**BACKGROUND**

**WHEREAS**, Pennsylvania Second Class Township Boards of Supervisors are charged with the responsibility to ensure the sound health, safety and welfare of the citizens of the township (Second Class Township Code, 53 P.S. § 65607).

**WHEREAS**, Pennsylvania Second Class Township Boards of Supervisors are authorized to make and adopt ordinances, bylaws, rules and regulations not inconsistent with or restrained by the Constitution and laws of this Commonwealth necessary for the proper management, care and control of the Township and its finances and the maintenance of peace, good government, health and welfare of the Township and its citizens (Second Class Township Code, 53 P.S. § 66506).

**WHEREAS**, Section 1502(a) of the Second Class Township Code, 53 P.S. §66502(a), authorizes townships of the Second Class to purchase, acquire by gift or otherwise, hold, lease, let and convey, by sale or lease, any real and personal property it judges to be to the best interest of the Township.

**WHEREAS**, the Board of Supervisors of Solebury Township has determined that acquiring conservation easements on properties within the Township which possess significant agricultural, natural resources, and/or scenic value is in the best interest of the Township and its residents.

**WHEREAS**, the Board of Supervisors of Solebury Township has determined that the property identified as Parcel Number 41-013-107 and 41-013-099-103, located at 6750 Phillips Mill Road in Solebury Township and totaling approximately 12.98 acres (the "Property") possesses agricultural, natural and scenic resources worthy of protection.

**WHEREAS**, the owner of the Property is Margaret M. Dietterich ("Owner"), who desire to convey to the Township and to the Land Trust of Bucks County a conservation easement on the Property (the "Conservation Easement"), all as more fully set forth herein.

**WHEREAS**, the Board of Supervisors of Solebury Township has determined that it is in the public interest of the residents of the Township to acquire the Conservation Easement.

**WHEREAS**, Owner have agreed to convey the Conservation Easement on the Property to the Township for the total sum of Two Hundred Sixteen Thousand Seven Hundred Forty-Two Dollars (\$216,742.00) (the "Purchase Price") with the remaining value of the Conservation Easement being donated as a gift.

**WHEREAS**, an appraisal of the value of the Conservation Easement was obtained from Indian Valley Appraisal Company, General Certified Appraisers, which appraisal supports the Purchase Price being paid by the Township for the Conservation Easement.

**WHEREAS**, the Board of Supervisors, by approval of this Resolution, approves acquisition of the Conservation Easement.

**NOW THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Solebury Township, Bucks County, Commonwealth of Pennsylvania, as follows:

1. The Township is hereby authorized to acquire the Conservation Easement on the Property.

2. The Township is hereby authorized to pay the sum of Two Hundred Sixteen Thousand Seven Hundred Forty-Two Dollars (\$216,742.00) for the purchase of the Conservation Easement.

3. Any one of the Supervisors named in paragraph 4 below are hereby authorized to execute on behalf of the Township, upon the advice of the Township Land Preservation Solicitor, all documents reasonably required to effect settlement of the purchase of the Conservation Easement, including but not limited to the following documents:

A. A Grant of Conservation Easement and Declaration of Covenants (“Grant of Conservation Easement”) substantially in the form attached hereto as **Exhibit A**, and any revision or addendum to the Grant of Conservation Easement recommended by the Township Solicitor.

B. An Agreement of Sale for Conservation Easement (“Agreement of Sale”) substantially in the form attached hereto as **Exhibit B**, and any revision or addendum to the Agreement of Sale recommended by the Township Land Preservation Solicitor.

C. A Settlement sheet.

D. A Buyer’s Affidavit as may be required by a reputable title insurance company.

E. Any other documents incidental to or reasonably necessary to affect the purchase of the Conservation Easement.

4. The names of the Supervisors, any one of which is authorized to execute the aforesaid documents, are: Mark Baum Baicker, Hanna Howe, John S. Francis, Christy Cheever and Kevin Morrissey.

5. Additionally, Jean Weiss, the Solebury Township Open Space Administrator, is authorized to execute on behalf of the Township, on the advice of the Township Solicitor, any and all documents required for settlement of the purchase of the Conservation Easement on the Property by the Township.

**THIS RESOLUTION** has been duly adopted by the Board of Supervisors of Solebury Township at a public meeting held this 7th day of May, 2024.

ATTEST:

  
\_\_\_\_\_

Date: May 7, 2024 \_\_\_\_\_.

SOLEBURY TOWNSHIP  
BOARD OF SUPERVISORS

By:   
\_\_\_\_\_

Mark Baum Baicker, Chair

By:   
\_\_\_\_\_

Hanna Howe, Vice-Chair

By:   
\_\_\_\_\_

John S. Francis

By:   
\_\_\_\_\_

Kevin Morrissey

By:   
\_\_\_\_\_

Christy Cheever

Exhibit A Conservation Easement

Exhibit B Agreement of Sale