

SOLEBURY TOWNSHIP BOARD OF SUPERVISORS
July 16, 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, Mark Roth, Township Traffic Engineer and Stephanie Butler, Township Traffic Engineer were also in attendance.

The recording device was turned on.

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

II. Solebury Township Police Department – Police Appreciation and Swear in Ceremony

Mr. Baum Baicker opened the topic with an overview of Chief Kelley Warner and Officer Ryan Roche' background and welcomed both to Solebury Township Police Department. Mr. Baum Baicker gave an overview of Detective/Sergeant Jonathon Koretzky's service with Solebury Township Police Department and acknowledged his promotion.

Honorable Maggie Snow swore in Chief Kelley Warner as Police Chief, Officer Ryan Roche as a full time Officer and Jonathan Koretzky as Detective/Sergeant for Solebury Township Police Department.

The Board recognizes Chief Dominick Bellizzie with a plaque for his leadership, professionalism and outstanding service with the Solebury Township Police Department and his dedication to the community for 18 years.

The Board recognized Sgt. Kevin Edwards with a plaque for his outstanding service with the Solebury Township Police Department and dedication to the community for three decades.

Chief Dominick Bellizzie presented Solebury Township Police Department staff with a Certificate of Appreciation in honor and recognition of their commendable and dedicated service with the Solebury Township Police Department.

Chief Dominick Bellizzie expressed gratitude to the Township Police Department Staff, Administration, Public Works and the community for the positive interactions and teamwork during his years of service with the Township.

The Board expressed gratitude to Chief Bellizzie and the Board and audience unanimously rose to its feet in a standing ovation.

III. Approval of Bills Payable – July 11, 2024

Res. 2024-105 – Upon a motion by Mr. Morrissey, seconded by Ms. Howe, the list of Bills Payable dated July 11, 2024 was unanimously approved as prepared and posted.

IV. Approval of Meeting Minutes – June 18, 2024

Res. 2024-106 – Upon a motion by Ms. Howe, seconded by Mr. Morrissey the Minutes of the June 18, 2024 meeting were unanimously approved as prepared and posted.

V. Announcements / Resignations / Appointments

Executive Session

Mr. Baum Baicker announced that an Executive Session was held July 9, 2024 dealing with a Personnel Matter and an Executive Session held July 16, 2024, prior to the Board meeting, dealing with Legal Matters.

Resignation of Kim Wilson from the Parks & Recreation Board and Appointment of Kim Wilson as Associate Member of the Parks & Recreation Board

Res. 2024-107 – Upon a motion by Mr. Morrissey, seconded by Mr. Francis, it was unanimously agreed to accept the resignation of Kim Wilson from the Parks & Recreation Board effective immediately and appoint Kim Wilson, resident, without compensation as Associate Member to the Parks & Recreation Board for term ending December 31, 2024.

Appointment of Paul Klug to the Parks & Recreation Board

Res. 2024-108 – Upon a motion by Mr. Francis, seconded by Mr. Morrissey, it was unanimously agreed to appoint Paul Klug, resident, without compensation to the Parks & Recreation Board to fill the vacancy resulting from the resignation of Kim Wilson for term ending December 31, 2025.

Appointment of the Comprehensive Park, Recreation, Open Space, Trail and Greenway Plan Committee Members

Res. 2024-109 – Upon a motion by Ms. Cheever, seconded by Mr. Francis, it was unanimously agreed to appoint the following residents, without compensation, to the Comprehensive Park, Recreation, Open Space, Trail and Greenway Plan Committee for a term expiring when the update of the Township Comprehensive Park, Recreation, Open Space, Trail and Greenway Plan has been adopted by the Board of Supervisors or the Committee has been disbanded and dissolved by the Board:

- **Dudley Rice, Parks & Recreation Director;**
- **Paul Klug, “At Large” Member;**
- **Dan Dupont, Parks & Recreation Board;**
- **Joe Tartaglia, Land Preservation Committee;**
- **Jeanne Litwin, Environmental Advisory Council;**
- **John DeAndrea, Planning Commission;**
- **Dr. Amanda Benolken, New Hope Solebury School District;**
- **Kevin Morrissey, Supervisor Liaison.**

VI. Supervisor Comment – No Supervisor Comment

VII. Presentation

Ingham Road, Lower Mountain Road and Route 202 Intersection - Pennsylvania Department of Transportation Review Update and Discussion on How to Proceed

Mark Roth and Stephanie Butler presented an update on Pennsylvania Department of Transportation’s review of the Lower York Road (Route 202)/Lower Mountain Road/Ingham Road Intersection project (copy of which is attached). Highlights of the presentation included: Recap of Earlier Evaluations and Discussions; Intersection Alternatives; January 16, 2024 – BOS Meeting Discussions & Directions; PennDOT Plan Submission; PennDOT Plan Markups; and PennDOT / Bowman Coordination – Revise Alternative.

Discussion ensued regarding the alternative options, including widening of the road, cul-de-sac on Ingham Road, realignment of Lower Mountain Road, traffic flow, signage, and funding.

Bill Wilson, resident, expressed opposition for the cul-de-sac and suggested stripping and signage.

Pam Wilson, resident, questioned studies done on the volume of left turns at the intersection. Mr. Roth advised that the traffic counts during peak times were low.

Mr. Baum Baicker questioned the safety of the intersection due to low traffic volume and no reported accidents.

John DeAndrea, resident, questioned the funding for the cul-de-sac project. Mr. Roth and Ms. Butler advised that the cul-de-sac would be part of the full project not a project of its own and the Township would apply to grants for additional funding for the project. Mr. DeAndrea questioned whether PennDOT views the left turn going southbound onto Lower Mountain as safe how it exists as of July 16, 2024.

Mr. Wilson questioned the location of the proposed cul-de-sac.

Discussion ensued on the location and dimensions of the cul-de-sac.

Lisa Gladden-Keyes, resident, expressed interest in holding more discussion at a future meeting with more residents in attendance.

The Board expressed interest in Bowman presenting the footprint of the cul-de-sac along with a budgetary estimate for the project at Board meeting in September or October 2024.

Central Bucks Emergency Medical Services (CBEMS) – Chuck Pressler

Charles Pressler, Executive Director presented an overview of costs for (CBEMS) and request for financial increase.

VIII. Public Hearing

Historical Architectural Review Board – Certificate of Appropriateness – Jonathan and Susan Wiedorn (TMP # 41-004-009, 4224 Wismer Road)

The applicants, Jonathan and Susan Wiedorn, are interested in installing new iron handrails along stone landscape path in woods.

Upon a Motion by Nancy Ruddle, seconded by Patrick Strzelec, it was agreed to recommend issuance of a Certificate of Appropriateness to Susan & Jonathan Wiedorn, 4224 Wismer Road, TMP #41-004-009, as depicted in the application dated May 6, 2024, for the installation of handrails with flat black color on landscaping path.

Res. 2024-110 - Upon a motion by Mr. Baum Baicker, seconded by Mr. Francis, it was unanimously agreed to authorize the Certificate of Appropriateness to TMP # 41-004-009, 4224 Wismer Road, as per the recommendation from the Historical Architectural Review Board. Issuance of the Certificate of Appropriateness does not relieve the applicant from obtaining any and all applicable permits prior to commencement of work.

Farm Accessory Dwelling Ordinance – Authorization to Adopt

Mr. Freed presented exhibits.

Res. 2024-111 – Upon a motion by Ms. Howe, seconded by Mr. Francis, it was unanimously agreed to adopt AN ORDINANCE OF THE TOWNSHIP OF SOLEBURY, BUCKS COUNTY, PENNSYLVANIA, AMENDING THE SOLEBURY TOWNSHIP ZONING ORDINANCE ESTABLISHING CONDITIONAL USE AND BULK AREA REGULATIONS FOR ACCESSORY DWELLINGS FOR AGRICULTURAL WORKERS IN THE RA, RESIDENTIAL/AGRICULTURAL DISTRICT AND THE RB, RESIDENTIAL/AGRICULTURAL DISTRICT.

IX. New Business

2023 Audit Report – Acknowledgement of Submission

Mr. Baum Baicker recognized the 2023 Audit’s completion and submission to the Department of Community and Economic Development (DCED). The audit is on the Township Website and is available to the public at the Township Building.

Authorization to Update – Right to Know Policy

Mr. Freed gave an overview of the current and requested update to the Right to Know policy.

Res. 2024-112 – Upon a motion by Ms. Howe, seconded by Mr. Francis, it was unanimously agreed to authorize the Township Administration and Solicitor to prepare and finalize the update to the Township’s Right to Know policy to prohibit anonymous requests.

Fuel Bids – Bid Award

Bids for fuel have been received by the Bucks County Consortium and reviewed by Solebury Township Administration.

Res. 2024-113 – Upon a motion by Mr. Baum Baicker, seconded by Mr. Morrissey, it was unanimously agreed to award the bids as follows:

- **Premium Unleaded Gasoline and Ultra Low Sulfur Diesel Fuel to Riggins, Inc;**
- **Propane to Wilson of Wallingford.**

Gateway Trail III Project – Ply-Mar Construction Company, Inc. – Payment Request No. 1

The Township Engineer reviewed the Application and Certification for Payment No. 1 and recommended the Board approve the payment of the requested items in the amount of One Hundred Twenty Seven Thousand Nine Hundred Forty Seven Dollars and Sixty Cents (\$127,947.60) conditional upon submission of certified payroll reports.

Res. 2024-114 – Upon a motion by Mr. Morrissey, seconded by Ms. Cheever, it was unanimously agreed to approve the payment of the requested items in the amount of One Hundred Twenty Seven Thousand Nine Hundred Forty Seven Dollars and Sixty Cents (\$127,947.60), conditional upon submission of certified payroll reports.

Pennsylvania Department of Environmental Protection Waiver 16 – New Hope Limestone Co Inc. (TMP # 41-028-010, 6970 Phillips Mill Road)

This topic was eliminated from the agenda.

X. Public Comment

- James Searing, resident, commented on and asked for the Township’s corporation to resolve the intersection of Aquetong and Windy Bush Roads. Mr. Garges commented on communications between the Township Administration / Public Works and Pennsylvania Department of Transportation to resolve the safety hazard at the intersection.

XI. Adjournment

The meeting was adjourned at 8:02 pm.

Respectfully submitted,
Catherine Cataldi, Secretary

Route 202 and Lower Mountain Road/Ingham Road Intersection Improvements

Solebury Township Board of Supervisors Meeting
July 16, 2024

Recap of Earlier Evaluations and Discussions

Based on our evaluation and analysis of both existing and future conditions, a total of four (4) alternatives were evaluated and discussed with the Township:

1. Maintain all existing movements for both Lower Mountain Road and Ingham Road and provide line striping and other enhancements to better delineate movements.
2. Convert Ingham Road to one-way to allow for ingress movements only.
3. Cul-de-sac Ingham Road to prevent all movements into and out from the roadway. (emergency access will still be permitted and gate/chain controlled).
4. Realignment of Ingham Road to connect into Lower Mountain Road to form a T-intersection approximately 150-200 feet to the east of Lower York Road.

Intersection Alternatives



LEGEND:

- OPTION A - ONE-WAY TRAFFIC AT INGHAM ROAD AND LOWER MOUNTAIN ROAD
- OPTION B - CUL-DE-SAC WITH EMERGENCY ROUTE
- ➔ TRAFFIC MOVEMENTS WITH SR 0202 WIDENING FOR LEFT TURN LANE INTO LOWER MOUNTAIN ROAD

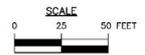
ALL MOVEMENTS TO/FROM INGHAM ROAD ALLOWED FOR EMERGENCY VEHICLES ONLY



Intersection Alternatives



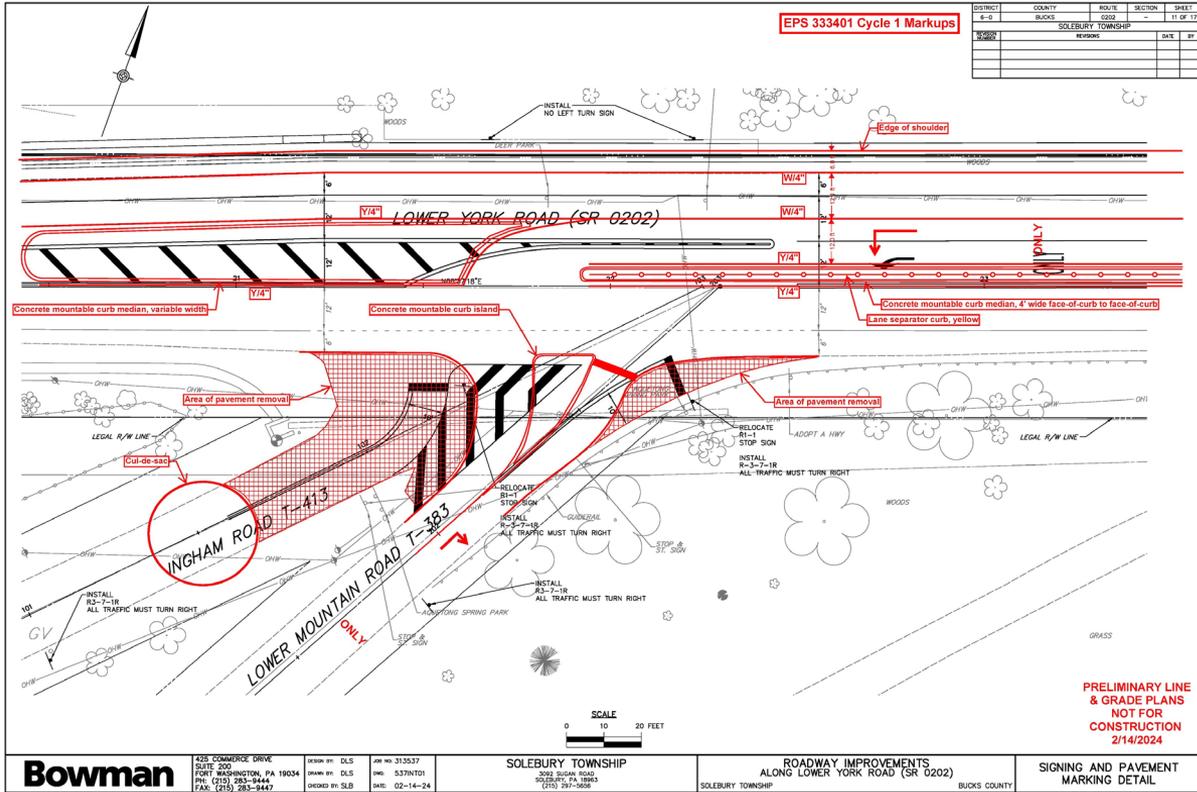
- LEGEND:**
- OPTION A – ONE-WAY TRAFFIC AT INGHAM ROAD AND LOWER MOUNTAIN ROAD
 - OPTION B – CUL-DE-SAC WITH EMERGENCY ROUTE
 - ↔ EXISTING TRAFFIC MOVEMENTS FOR INGHAM ROAD



January 16, 2024 - BOS Meeting Discussions & Direction

- Residents of the area commented on safety concerns and expressed support for restricting left-turns from both Ingham Road and Lower Mountain Road onto Route 202.
- Board of Supervisors directed Bowman to move ahead with Option 1 – maintain traffic movements in and out of both Lower Mountain Road and Ingham Road with the exception of the left-turns from both Ingham Road and Lower Mountain Road onto Route 202.
- Based on the Board's direction, our office prepared a line and grade submission to PennDOT of the recommended intersection improvements.

PennDOT Plan Markups



ORDINANCE NO. 2024-003

**AN ORDINANCE OF THE TOWNSHIP OF SOLEBURY,
BUCKS COUNTY, PENNSYLVANIA, AMENDING THE
SOLEBURY TOWNSHIP ZONING ORDINANCE
ESTABLISHING CONDITIONAL USE AND BULK AREA
REGULATIONS FOR ACCESSORY DWELLINGS FOR
AGRICULTURAL WORKERS IN THE RA,
RESIDENTIAL/AGRICULTURAL DISTRICT AND THE
RB, RESIDENTIAL/AGRICULTURAL DISTRICT**

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, it is in the public interest of the residents of the Township for the Township to establish conditional use and bulk area regulations for accessory dwellings for Agricultural Workers in the RA, Residential/Agricultural District and the RB, Residential/Agricultural Aistrict.

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 27-202 of the Zoning Ordinance as follows:

1. **ADD** the definition “Agricultural Workers” as follows:

AGRICULTURAL WORKERS

Individuals who earn their primary income by undertaking one or more agricultural use activities.

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

1. **ADD** Section 27-402.1.C.17 as follows: “(17) Accessory dwellings for agricultural workers.”

C. **AMEND** Section 27-404 of the Zoning Ordinance as follows:

1. **ADD** the phrase "Except for accessory dwellings for agricultural workers" 27-404.1.B.2.i so that it now reads as follows: "(i) Clustering. Except for accessory dwellings for agricultural workers, the principal dwelling and all accessory dwellings shall be clustered within 20% of the entire tract."

2. **STRIKE** Section 27-404.1.B.2.j in its entirety and **REPLACE** it with the following:

(j) Maximum number allowed. A combined maximum of one accessory dwelling and/or accessory dwellings for agricultural workers may be erected provided the lot is a minimum of four acres in area and less than 50 acres in area. A combined maximum of two accessory dwellings and/or accessory dwelling for agricultural workers may be erected provided the lot is a minimum of 50 acres in area.

3. **ADD** Section 27-404.1.C.9(a-m) as follows:

(9) Accessory Dwellings for Agricultural Workers

(a) Maximum occupancy: the Board of Supervisors may set the size and maximum occupancy of the dwelling by condition as part of a conditional use decision.

(b) Minimum lot area: four acres.

(c) Minimum lot width at building line: 225 feet.

(d) Minimum lot width at street line: 100 feet.

(e) Maximum total impervious surface coverage: 20%.

(f) Maximum building coverage: 15%.

(g) Minimum depth of front yard: 80 feet.

(h) Minimum depth of rear yard: 60 feet.

(i) Minimum width of each side yard: 50 feet.

(j) Maximum number allowed. A combined maximum of one accessory dwelling and/or accessory dwelling for agricultural workers may be erected provided the lot is a minimum of four acres in area and less than 50 acres in area. A combined maximum of two accessory dwellings and/or accessory dwellings for agricultural workers may be erected provided the lot is a minimum of 50 acres in area.

(k) Nothing contained in this section shall permit an accessory dwelling for agricultural workers to be constructed on a lot which has been restricted from the construction of additional dwellings by deed, subdivision plan, operation or law or otherwise.

(l) When an owner of a lot wishes to erect an accessory dwelling for agricultural workers, the owner shall enter into a unilateral declaration of restrictions and covenants in a form acceptable to the Township agreeing not to subdivide the accessory dwelling or subject it to a plan of condominium.

(m) The lot owner shall submit to the Township a certification on a form provided or approved by the Township confirming that it is complying with all requirements of this Part and all conditions of the conditional use approval, on or before September 30 of each year.

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

1. **ADD** Section 27-602.1.C.19 as follows: “(19) Accessory dwellings for agricultural workers.”

E. AMEND Section 27-604 of the Zoning Ordinance as follows:

1. **ADD** the phrase “Except for accessory dwellings for agricultural workers” 27-604.1.B.2.i so that it now reads as follows: “(i) Clustering. Except for accessory dwellings for agricultural workers, the principal dwelling and all accessory dwellings shall be clustered within 20% of the entire tract.”

2. **STRIKE** Section 27-604.1.B.2.j in its entirety and **REPLACE** it with the following:

(j) Maximum number allowed. A combined maximum of one accessory dwelling and/or accessory dwellings for agricultural workers may be erected provided the lot is a minimum of seven acres in area and less than 50 acres in area. A combined maximum of two accessory dwellings and/or accessory dwelling for agricultural workers may be erected provided the lot is a minimum of 50 acres in area.

3. **ADD** Section 27-604.1.C.10(a-m) as follows:

(10) Accessory Dwellings for Agricultural Workers

(a) Maximum occupancy: the Board of Supervisors may set the size and maximum occupancy of the dwelling by condition as part of a conditional use decision.

(b) Minimum lot area: seven acres.

(c) Minimum lot width at building line: 225 feet.

(d) Minimum lot width at street line: 100 feet.

(e) Maximum total impervious surface coverage: 20%.

(f) Maximum building coverage: 15%.

- (g) Minimum depth of front yard: 80 feet.
- (h) Minimum depth of rear yard: 60 feet.
- (i) Minimum width of each side yard: 50 feet.
- (j) Maximum number allowed. A combined maximum of one accessory dwelling and/or accessory dwelling for agricultural workers may be erected provided the lot is a minimum of seven acres in area and less than 50 acres in area. A combined maximum of two accessory dwellings and/or accessory dwellings for agricultural workers may be erected provided the lot is a minimum of 50 acres in area.
- (k) Nothing contained in this section shall permit an accessory dwelling for agricultural workers to be constructed on a lot which has been restricted from the construction of additional dwellings by deed, subdivision plan, operation or law or otherwise.
- (l) When an owner of a lot wishes to erect an accessory dwelling for agricultural workers, the owner shall enter into a unilateral declaration of restrictions and covenants in a form acceptable to the Township agreeing not to subdivide the accessory dwelling or subject it to a plan of condominium.
- (m) The lot owner shall submit to the Township a certification on a form provided or approved by the Township confirming that it is complying with all requirements of this Part and all conditions of the conditional use approval, on or before September 30 of each year.

F. **AMEND** Section 27-2603 of the Zoning Ordinance as follows:

1. **ADD** Section 27-2603.1.A.3 as follows: “(3) Accessory dwellings for agricultural workers.”

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.

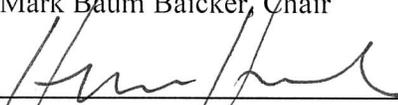
IV. Effective Date

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

ORDAINED AND ENACTED this 16th day of July, 2024.



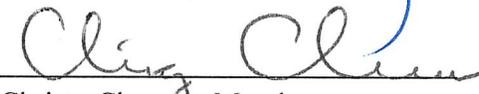
Mark Baum Baicker, Chair



Hanna Howe, Vice-Chair



John S. Francis, Member



Christy Cheever, Member



Kevin Morrissey, Member

Attest:



Catherine Cataldi, Township Secretary