

SOLEBURY TOWNSHIP BOARD OF SUPERVISORS

May 19, 2022 – 6:00 P.M.

Hybrid Meeting

MEETING MINUTES

Attendance: Mark Baum Baicker, Chair, John S. Francis, Vice-Chair, Hanna Howe, Robert McEwan, Kevin Morrissey, Dennis H. Carney, Township Manager, Michele Blood, Assistant 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 – May 12, 2022

Res.2022-74 – Upon a motion by Mr. McEwan, seconded by Mr. Francis, the list of Bills Payable dated May 12, 2022 was unanimously approved as prepared and posted.

III. Approval of Meeting Minutes – May 3, 2022 Meeting

Res.2022-75 – Upon a motion by Mr. Francis, seconded by Mr. McEwan, the Minutes of the May 3, 2022 Meeting were unanimously approved as prepared and posted.

IV. Announcements/Resignations/Appointments

Executive Session

The Board announced the Executive Session held May 11, 2022 dealing with Personnel Matters.

Route 202 Property Survey Update

Mr. Morrissey and Ms. Howe gave an overview update on the Route 202 Property Survey. Additional discussions and community input collections are to take place.

Appointment of David Stacy as Alternate Member to the Zoning Hearing Board

Res. 2022-76 – Upon a motion by Mr. Baum Baicker, seconded by Mr. Francis, it was unanimously agreed to appoint David Stacy, resident, without compensation, as Alternate Member to the Zoning Hearing Board for term ending December 31, 2024.

Appointment of Adrian Max as Associate Member to the Planning Commission

Res. 2022-77 – Upon a motion by Mr. Baum Baicker, seconded by Ms. Howe, it was unanimously agreed to appoint Adrian Max, resident, without compensation, as Associate Member to the Planning Commission for term ending December 31, 2022.

Appointment of Jonathan Grossman as Associate Member to the Farm Committee

Res. 2022-78 – Upon a motion by Mr. Baum Baicker, seconded by Mr. Morrissey, it was unanimously agreed to appoint Jonathan Grossman, resident, without compensation, as Associate Member to the Farm Committee for term ending December 31, 2022.

Changes to the Agenda

- Mr. Baum Baicker announced a change to the order of the agenda. The agenda topic: Manager’s Contract under New Business was moved up in the agenda after Public Comment.

- Mr. Baum Baicker announced that the Carversville Inn Land Co. – Preliminary Land Development was removed from the agenda.

V. Supervisor Comment

- Mr. McEwan commented on stormwater management within Solebury Township.

VI. Public Comment

- Lorraine Doan, resident, questioned the Township’s verification policy for complaints. Ms. Doan expressed discontent for complaints received from Department of Environmental Protection (DEP). Keith Wolff, resident, expressed support for Ms. Doan.

VII. New Business

Manager’s Contract – Christopher Garges

Ms. Doan asked what the salary and benefits are for the Manager position.

Res.2022-79 – Upon a motion by Ms. Howe, seconded by Mr. McEwan, it was unanimously agreed to authorize the Chair and Vice-Chair to execute the Manager’s Contact.

VIII. Public Hearing

Historical Architectural Review Board – Certificate of Appropriateness – Eric Lyons (TMP # 41-004-004, 6163 Carversville Road)

Upon a motion by Larry Peseski, seconded by Nancy Ruddle, it was (unanimously) agreed to recommend issuance of a Certificate of Appropriateness to TMP# 41-004-004 as follows:

1. *Work is to be completed based on the R.L Quinn & Son’s estimate page for a 20’ x 36” railings for a bridge.*
2. *Two railings were approved, one on each side of the bridge.*
3. *Material approved is custom iron rails.*
4. *Material color approved is black.*
5. *Request that the zoning officer review the gauge of the tube to confirm its stability.*

Res.2022-80 – Upon a motion by Mr. Baum Baicker, seconded my Mr. Francis, it was unanimously agreed to issue a Certificate of Appropriateness to TMP # 41-004-004, 6163 Carversville Road as recommended by 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.

No Through Traffic on Old Carversville Road and Saw Mill Road Ordinance – Authorization to Adopt

The motion to adopt the proposed ordinance was introduced by Mr. Baum Baicker.

The motion was not seconded.

Motion failed to adopt the No Through Traffic on Old Carversville Road and Saw Mill Road Ordinance.

Sign Ordinance Amendment – Authorization to Adopt

Paul Cosdon, resident, questioned enforcement once the ordinance is adopted.

Res.2022-81 – Upon a motion by Mr. Morrissey, seconded by Mr. McEwan, it was unanimously agreed to adopt AN ORDINANCE OF THE TOWNSHIP OF SOLEBURY, BUCKS COUNTY, PENNSYLVANIA, AMENDING THE SOLEBURY TOWNSHIP ZONING ORDINANCE REGARDING THE USE OF SIGNS (Copy of which is attached).

IX. New Business

Single-Use Plastic Ban Ordinance – Authorization to Advertise

The proposed ordinance promotes the use of reusable bags, prohibits the use of single-use carry-out plastic bags, polystyrene food containers, and single-use plastic straws by commercial establishments, and establishing a charge for the provision of certain types of bags at the point of sale.

Mr. Morrissey suggested the Board reevaluate yearly.

Ms. Doan questioned the reasoning for eliminating single-use plastic bags. Ms. Doan expressed interest in additional plastic bag recycling locations.

Mary Saracco, resident, commented on the plastic bag recycling program at Giant Food Store. Ms. Saracco commented on garbage and recycling programs.

Nancy Wolff, resident expressed interest in the review of all ordinances after adoption.

Lori Tockler, resident, commented on experiences with plastic bag bans. Ms. Tockler commented on technology and the process of change and development.

Res.2022-82 – Upon a motion by Mr. Francis, seconded by Mr. McEwan, it was unanimously agreed to advertise the Single-Use Plastic Ban Ordinance.

Burning Ordinance – Authorization to Advertise

Mr. Francis and Mr. Freed gave an overview of the ordinance.

The proposed ordinance amends the Solebury Township code of ordinances regarding open burning.

Keith Wolff, resident, expressed support in burning agricultural materials.

Hanita Rosenboim, resident, expressed support in burning agricultural materials.

Conrad Vogel, resident, commented on the composting of leaves and weeds. Mr. Mr. Vogel expressed support in burning agricultural materials. Mr. Vogel expressed interest in the clarification of yard waste.

Mr. Baum Baicker read comments made using the chat feature on Zoom:

John DeAndrea, resident, expressed additional discussions on the topic.

Peter Schwalm, resident, expressed support in burning agricultural materials.

Jim Cohen, resident, commented on compost material in landfills.

Mr. Freed is to clarify with the Department of Environmental Protection regarding the burning of yard waste other than leaves.

Solebury Township committees are to discuss and supply input.

The motion to authorize the advertisement of the Burning Ordinance was introduced by Mr. Frances and seconded by Mr. McEwan, Vote 5-0 against; Motion Failed

In favor:

Opposed: Mr. Baum Baicker, Mr. Francis, Ms. Howe, Mr. McEwan, Mr. Morrissey

X. Subdivisions/ Conditional Uses/Land Developments

Carversville Inn Land Co. – Preliminary Land Development (6205 Fleecydale Rd, TMP # 41-004-010)

This topic was removed.

XI. Public Comment

- Ms. Doan commented on Act 101, the Burn Ordinance and Solebury Township’s recycling program.

XII. Adjournment

The meeting was adjourned at 7:02 p.m.

Respectfully submitted,
Catherine Cataldi
Secretary

ORDINANCE NO. 2022-002

**AN ORDINANCE OF THE TOWNSHIP OF SOLEBURY,
BUCKS COUNTY, PENNSYLVANIA, AMENDING THE
SOLEBURY TOWNSHIP ZONING ORDINANCE
REGARDING THE USE OF SIGNS**

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 Solebury Township (“Solebury” or 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. §66601);

WHEREAS, the Board of Supervisors declares that the reasonable regulation of signs in the Township promotes public health and safety, protects property values, the environment, and scenic vistas and supports the local economy; and

WHEREAS, the proposed amendments will help residents, civic organizations and local business owners by establishing clarity and firm guidance on the use of signs within the Township that respects free speech rights while maintaining the character of the Township; and

WHEREAS, the proposed amendments have been advertised, considered, and reviewed in accordance with all applicable law;

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

- I. Chapter 27, Part 24 of the Township Code of Ordinances is hereby **AMENDED** as follows:
 - A. **AMEND** Section 27-2404.8 as follows:
 1. **AMEND** Section 27-2404.8.A. to **STRIKE** the phrase “per side” so that it reads: “Maximum sign size: six square feet for on-premises signs and off-premises signs.”
 2. **STRIKE** Section 27-2404.8.D.
 3. **RENUMBER** Section 27-2404.8.E. to Section 27-2404.8.D. and Section 27-2404.8.F. to Section 27-2404.8.E.
 - B. **AMEND** Section 27-2404.9 as follows:
 1. **AMEND** Section 27-2404.9.A. to **STRIKE** the phrase “per side” so that it reads: “Maximum sign size: six square feet.”

2. **AMEND** Section 27-2404.9(d) to **CHANGE** “six feet” to “four feet” so that it now reads:

(d) Signs shall be no closer than four feet from one-another and shall be four feet from any riparian corridor, stream, watercourse, regulated water of the Commonwealth, lake, pond, wetlands, and the cartway.

C. AMEND Section 27-2405.1 as follows:

1. **STRIKE** Section 27-2405.1.A(3)(c).
2. **AMEND** Section 27-2405.1.A(7) to **ADD** the phrase “other than such signs placed on private property by the owner or occupant of the property,” so that it now reads:

(7) Short-Term Temporary Signs other than such signs placed on private property by the owner or occupant of the property.

D. AMEND Section 27-2406.1 as follows:

1. **AMEND** Section 27-2406.1.C. to **ADD** the phrase “by the owner or occupant of the property” so that it now reads:

C. Signs on private property by the owner or occupant of the property, provided:

(1) Not more than one such freestanding sign shall be placed upon any property unless such property has more than one entrance from a street, in which event, one such sign may be erected at each entrance. Such a freestanding sign cannot be in excess of six square feet in area.

(2) One such wall sign may be erected by the primary entrance to the primary building on the property. Such a wall sign cannot be in excess of two square feet in area.

(3) Such signs shall contain letters and numbers eight inches or less in height and width.

2. **ADD** new Section 27-2406.1.D. that reads:

D. Short-Term Temporary Signs placed on private property by the owner or occupant of the property.

3. **RENUMBER** Section 27-2406.1.D. to Section 27-2406.1.E.

4. **RENUMBER** Section 27-2406.1.E. to Section 27-2406.1.F. and **AMEND** it to **ADD** the word “temporary” so that it now reads:

F. One temporary event sign not exceeding four square feet shall be permitted upon the property where the event is occurring, and three additional signs may be placed along the streets in the area for directional purposes. Such signs shall only be erected on the day of the event and must be removed 24 hours after the conclusion of the event.

5. **RENUMBER** Section 27-2406.1.F. to Section 27-2406.1.G. and **AMEND** it to **ADD** the word “temporary” so that it now reads:

G. One or more temporary signs applied to a windowpane provided they do not exceed, in total, two square feet in area.

6. **ADD** new Section 27-2406.1.H. that reads:

H. Other temporary signs on private property by the owner or occupant of the property, provided:

(1) The size of the sign is not in excess of six square feet in area.

(2) Not more than one such temporary sign may be placed on any property unless such property fronts upon more than one public street, in which event, one such sign may be erected on each street frontage.

(3) Signs shall be 4 feet from any riparian corridor, stream, watercourse, regulated water of the Commonwealth, lake, pond, wetlands, and the cartway.

7. **RENUMBER** Section 27-2406.1.G. to Section 27-2406.1.I.

E. AMEND Section 27-2410 as follows:

1. **AMEND** Section 27-2410.1 to **ADD** the phrase “Except as provided by Section 27-2410.2,” so that it now reads:

1. Except as provided by Section 27-2410.2, no sign shall hereafter be constructed, erected, installed, altered, rebuilt, enlarged, extended, or relocated until a permit for the same has been obtained from the Zoning Officer, except those types of signs specifically listed herein as being exempt from this permitting process. Application for a sign permit shall be

made in writing to the Township Zoning Officer in accordance with the following provisions:

A. The Zoning Officer is hereby authorized and empowered to revoke any permit issued by him or her upon the failure of the holder thereof to comply with any provision of this chapter.

B. All sign permit applications shall be filed on forms provided by the Township.

C. All sign permit applications shall be filed in duplicate and shall include:

(1) A description of the size, shape, color, material, supports, anchoring, weight and height of the sign(s), as well as the intensity of illumination, if any, and the purpose of the sign(s).

(2) An architectural elevation drawn to scale of the sign(s) indicating the proposed style of the letters, words, symbols or other graphics, and the proposed size, dimensions, shape, color, material, supports, anchoring, and height of the sign(s).

(3) A plot plan drawn to scale showing the proposed sign location(s), including any proposed off-premises locations with respect to property lines, buildings and any existing signs.

(4) Written consent of the owner of the property the sign is proposed to be erected upon, if the owner is different from the applicant.

D. All applications for sign approval permits shall be accompanied by payment to cover the required fee as set forth in the fee schedule established from time to time by resolution of the Board of Supervisors.

E. All applications for a sign permit shall be reviewed and approved by the Zoning Officer, and where necessary, the Township Engineer.

F. An application for a sign permit shall not be approved unless the sign meets all the applicable requirements set forth in this part and all other applicable ordinances, rules and regulations.

2. **ADD** new Section 27-2410.2 that reads:

2. Except for Short-Term Temporary Signs placed on private property by the owner or occupant of the property, for which no permit is required (see §27-2406.D), no Short-Term Temporary Sign shall hereafter

be erected or installed until a permit for the same has been obtained from the Zoning Officer. Application for a such sign permit shall be made in writing to the Township Zoning Officer in accordance with the following provisions:

A. The Zoning Officer is hereby authorized and empowered to revoke any permit issued by him or her upon the failure of the holder thereof to comply with any provision of this chapter.

B. All sign permit applications shall be filed on forms provided by the Township.

C. All applications for sign approval permits shall be accompanied by payment to cover the required fee as set forth in the fee schedule established from time to time by resolution of the Board of Supervisors.

D. Only a single application with a single application fee need be submitted regardless of the number or variety of signs to be displayed.

E. The applicant shall attach a picture or proof of each sign to be displayed.

F. All applications for a sign permit shall be reviewed and approved by the Zoning Officer.

G. An application for a sign permit shall not be approved unless the sign meets all the applicable requirements set forth in this part and all other applicable ordinances, rules and regulations.

F. **REPLACE** 27 Attachment 16 with 27 Attachment 16 as attached hereto as Exhibit "A".

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.

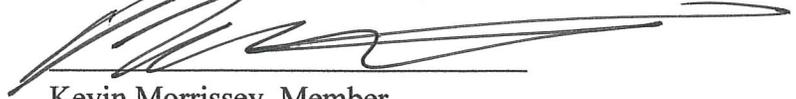
ORDAINED AND ENACTED this 19 day of May, 2022.

BOARD OF SUPERVISORS OF SOLEBURY
TOWNSHIP, BUCKS COUNTY,
PENNSYLVANIA

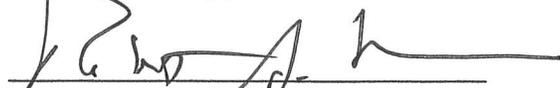
Mark Baum Baicker, Chair



John Francis, Vice Chair



Kevin Morrissey, Member



Robert McEwan, Member



Hanna Howe, Member

Attest:


Catherine Cataldi, Township Secretary