

**WARWICK TOWNSHIP**  
Board of Supervisors' Public Meeting Minutes  
**JULY 2, 2007**

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

Others Present: Gail Weniger, Township Manager  
Dave Connell, P.E., Township Engineer  
Mary Eberle, Esq., Township Solicitor  
Tom Scott, Assistant Manager  
Linda Grant, Recording Secretary

■ **CALL TO ORDER:**

The Warwick Township Board of Supervisors' July 2, 2007 public meeting, held at Warwick Township Administration Office, 1733 Township Greene, Jamison, PA., was called to order at 7:05 p.m., by Chair, Judith Algeo, who then led attendees in the pledge of allegiance.

■ **APPROVAL OF MINUTES:**

⇒ June 18, 2007 public meeting minutes (exhibit)

**Motion by Mr. Thompson to approve the minutes of June 18, 2007, as submitted.  
Second to motion by Mr. Cox.**

Chair Algeo invited comment or discussion. There being none, the vote was called.

**Motion passed unanimously.**

■ **EXECUTIVE SESSION:**

Chair Algeo reported that the Board of Supervisors' had met in executive session prior to this evening's meeting to discuss matters of litigation.

■ **ANNOUNCEMENTS:**

Chair Algeo made the following announcements:

1. Administrative Offices will be closed Wednesday for the July 4<sup>th</sup> holiday.
2. The next Board of Supervisors' public meeting will be held Monday, August 6, 2007.
3. The Board met on Monday, June 25<sup>th</sup>, 6:30 P.M. for an executive session to interview candidates for the Public Works Director position

■ **CITIZENS' COMMENTS:** There was no citizens' comments.

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■ **MANAGER'S REPORT:**

⇒ **Planning Commission Appointment (no exhibit)**

Ms. Weniger reported that since Kevin Wolf has been appointed to the Zoning Hearing Board, the Board of Supervisors is appointing Frank Jarrett to take Mr. Wolf's position on the Planning Commission, term expiring December 31, 2010.

**Motion by Mr. Thompson to appoint Frank Jarrett to the Warwick Township Planning Commission, term to expire December 31, 2010 .**

**Second to motion by Mr. Cox.**

Chair Algeo invited comment or discussion. There being none, the vote was called.

**Motion passed unanimously**

The Board members have indicated that they wish to appoint Bill Johnson as an alternate to the Planning Commission.

**Motion by Mr. Thompson to appoint Bill Johnson to the Warwick Township Planning Commission, as an alternate member .**

**Second to motion by Mr. Cox.**

Chair Algeo invited comment or discussion. There being none, the vote was called.

**Motion passed unanimously.**

⇒ **Financial Advisory Committee Appointment (no exhibit)**

Ms. Weniger reported that due to the resignation of a Financial Committee member, the Board is appointing Joe Kane to fill the vacant position. Ms. Weniger reminded that Mr. Kane had previously been a valuable, long time, member of the Financial Advisory Committee and we welcome his return.

**Motion by Mr. Thompson to appoint Joe Kane, to fill the position left vacant by Fred Powell on the Warwick Township Financial Advisory Committee.**

**Second to motion by Mr. Cox.**

Chair Algeo invited comment or discussion. There being none, the vote was called.

**Motion passed unanimously.**

⇒ **Park Board Recommendations (exhibit)**

Ms. Weniger reported that she had been requested by the Board of Supervisors to ask the Park Board to make a recommendation on what the Township parks are actually named. It was noted that some of our parks are called by two different names. The Park Board recommends the following:

1. "Community Park", behind this administration building.
2. "Hidden Pond Park", at Hidden Pond
3. "Jamison Hunt Park"

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4. "Hampton Chase Park at Dark Hollow"
5. "Warwick Park" at Guinea Lane

The Board of Supervisors would prefer that Community Park be called Warwick Community Park.

**Motion by Mr. Thompson to accept the names of the Township parks as recommended by the Parks and Recreation Board, with the exception that Community Park will be named Warwick Community Park.  
Second to motion by Mr. Cox.**

Chair Algeo invited comment or discussion. There being none, the vote was called.

**Motion passed unanimously.**

⇒ Public Works Director Position – Hire Jim Kopchak (no exhibit)

Ms. Weniger reported that James Kopchak, our current building inspector who works for Keystone Municipal Services, will be hired for the position of Public Works Director. Ms. Weniger reports that there were 23 candidates who interviewed, and we selected down to two and then the Board and the Manager then selected Jim Kopchak. Mr. Kopchak has a Bachelor of Arts in Organizational Management, he currently works with Keystone Municipal Services as a building code official, assigned to Warwick Township. He is a retired Army National Guard where he served as a company commander. Jim will begin his employment with Warwick as Public Works Director on July 16.

⇒ Recommendations to Support House Bills 1064 and 1156 and Senate Bill 883 (exhibits)

Ms. Weniger presented House Bill 1064 and 1156 and Senate Bill 883, and asked if the Board of Supervisors would like to send letters to State Senators and State Representatives in support of these Bills. Ms. Weniger explained that House Bill 1063 creates a "child protective zone" and Senate Bill 883 creates a protected area which registered sexually violent predators may not enter.

**Motion by Mr. Thompson to send letters of support to State Senators for Senate Bill 883 and State Representatives for House Bills 1064 and 1156.  
Second to motion by Mr. Cox.**

Chair Algeo invited comment or discussion. There being none, the vote was called.

**Motion passed unanimously.**

⇒ Concept Plan Presentation – Jamison Green (Fetzer Property) (exhibit)

Ms. Weniger introduced the Jamison Green Plan, reporting that she and Township staff have met to review the concept and have given feedback for a plan which was originally filed as a life style community. She noted that it is not the plan to be presented tonight. The applicant is here to present a commercial concept plan, with aspects of the village commercial included.

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Ross Weiss is representing Dan Bleznak and Paul Aschkenasy, American Development Corporation, developers of the site. Mr. Weiss noted that Kerry Haber, architect and Dennis Glackin, planner, are also present this evening. Mr. Weiss said applicant has met with the Township staff regarding this closed down greenhouse facility. We propose to redevelop this as a gateway to the Township. Applicant also displayed a materials board showing some proposed building materials such as brick, stucco and metal roofing. Applicant notes that basins are proposed to be maintained and utilized and the front of the site will be a buffer to what is in the back of the site. Mr. Weiss noted that the village is in the front and the larger retail stores are in the back, explaining that larger retail stores are needed as anchor stores for the development since smaller stores do not survive without the larger anchor stores. Applicant states that they have not met with, or entered into any negotiations with any, potential users. Applicant showed a chart regarding the currently permitted building and impervious coverage and applicant suggests the Township may consider increasing the impervious to approximately 70 to 75%.

Mr. Cox asked about the square footage of the larger stores. Applicant notes the three largest buildings are 135,000 square feet, 65,000 square feet and 25,000 square feet, the village retail in the front has a total of 40,761 square feet. The pad site, which could be a book store, is 25,200 square feet. It is proposed to keep the existing stone house (2029 York Road) which was built in 1947, and utilize it, possibly as a coffee house. Applicant's parking calculation is 4.5 spaces per 1,000 square feet.

Mr. Cox asked about the environmental issues. Applicant noted, with the existing structures, there is some asbestos, pesticides, underground tanks, fertilizer, etc. related to use of a greenhouse. Applicant is awaiting information on water and soil samples.

Ms. Algeo asked if applicant has done this type of project before or has any reference. Applicant states that they have not done a project exactly like this and feels this is a hybrid project, designed from scratch. Applicant has worked on mixed use projects in Chester County, owns the CVS in Doylestown, a Quakertown shopping center and a center in New Jersey. Ms. Algeo is concerned about empty stores like the ones in Peddler's Village and Warminster Shopping Center. Applicant believes that is why a large retail anchor store is necessary and believes that people who live here do not want to drive to Route 611 or to Warminster. Ms. Algeo also voiced concern about the larger retail store back against a residential development. Applicant believes the way the project is laid out has allowed the use of the natural features, and plans to maintain and enhance the wooded buffer are proposed.

Ms. Algeo asked about the cell tower antennae. Applicant stated there is a lease for that, but suggests the cell tower may be relocated, possibly to a church steeple, a flagpole, etc. and states that this is a matter that needs to be resolved.

Mr. Thompson asked applicant to pinpoint the zoning. Applicant is trying to stay within the current zoning district, but notes it is the last piece of developable property as C3 in the Township. Applicant suggests the Board may adjust the zoning to allow more impervious coverage for this property.

Mr. Thompson spoke of maximum building lengths of 150' and asked about the size of building A. Applicant notes it is approximately 430 ft. and there is a 130 ft. break between two of the buildings. Mr. Thompson also asked about all the frontages appearing to be the same in all the pictures. Applicant states that fronts will not be all the same, random fronts are proposed. Mr. Thompson notes there should be more green space in parking area. Mr. Thompson asked what the buffer setback is and believes the VCI is sixty feet. Applicant states, setback is generally 50 ft. Mr. Thompson commented that he does not totally object to residential on this site, adding that residents would pay toward the costs of the impact of this project on the Township roads.

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Mr. Thompson asked about maximum building height, noting that Warwick's maximum is 35 ft. Applicant states it building height is approximately 40 ft. but notes that there is no advantage to 40 ft. vs. 35 ft. Mr. Thompson states he would prefer that there be no access to Meetinghouse Road, and the applicant also notes the main entrance is on York Road

⇒ July 2, 2007 Bill Payments (exhibit)

General Fund		
Check N <sup>o</sup> : 10454 – 14105	\$	140,846.73
Check N <sup>o</sup> : 14054, 14055 are void		
Parks & Recreation Fund		18,163.47
Check N <sup>o</sup> : 4032 – 4048		
Capital Projects Fund		4,242.77
Check N <sup>o</sup> : 982 - 984		
TOTAL		\$ <u>163,252.97</u>

**Motion by Mr. Thompson to approve Bill Payments for July 2, 2007, as presented, subject to audit.  
Second to motion by Mr. Cox.**

Chair Algeo invited comment or discussion. There being none, the vote was called.

**Motion passed unanimously.**

■ **ASSISTANT MANAGER'S REPORT:**

⇒ Corridor Overlay Signs – Lynch (Gym Mini)

Tom Scott presented this matter, reporting that this is a free-standing sign which was formerly the Cerami property. Ms. Donna Lynch is the proprietor and is present this evening asking for approval for the corridor overlay district. Ms. Lynch presented the colors proposed but does not have a sample of the sign, explaining that when she had the materials for the zoning hearing board, they told her they did not need the sample. Ms. Lynch noted the material for the sign is high density urethane and requires no maintenance, it will not rust, rot or fall apart.

**Motion by Mr. Thompson to approve the sign for Gym Mini Crickets, as presented.  
Second to motion by Mr. Cox.**

Chair Algeo invited comment or discussion. There being none, the vote was called.

**Motion passed unanimously.**

■ **SOLICITOR'S REPORT:**

⇒ Walgreen's Stormwater Facilities Maintenance and Monitoring Agreement (exhibit)

Mary Eberle, Township Solicitor, is presenting the stormwater maintenance agreement for the Walgreen's on Route 263. This is a standard stormwater maintenance agreement, it

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requires the applicant to allow you on the property to inspect, they have to keep the stormwater facilities in working order, etc.

**Motion by Mr. Thompson to approve Walgreen's Stormwater Facilities Maintenance and Monitoring Agreement, as presented by the Township Solicitor.  
Second to motion by Mr. Cox.**

Chair Algeo invited comment or discussion. There being none, the vote was called.

**Motion passed unanimously**

⇒ Kiriakidi Agreement (exhibit)

Mary Eberle, Township Solicitor, presented this stipulation to settle an outstanding zoning appeal. Ms. Eberle explained that this matter goes back a long time and explained details.

**Motion by Mr. Thompson to approve the agreement between Prime Properties, and the Warwick Zoning Hearing Board and Warwick Township, as presented by the Township Solicitor.  
Second to motion by Mr. Cox.**

Chair Algeo invited comment or discussion. There being none, the vote was called.

**Motion passed unanimously.**

⇒ Solid Waste Ordinance – Authorization to Advertise (exhibit)

Mary Eberle, Township Solicitor, reported that the County sent out a model ordinance for Warwick Township to adopt the County Solid Waste Plan. There is a draft Solid Waste ordinance which has been reviewed by the County and Ms. Eberle is asking for authorization to advertise adoption of this ordinance for August.

**Motion by Mr. Thompson to authorize advertisement of the Solid Waste Ordinance for the August 2007 Board of Supervisors' public meeting.  
Second to motion by Mr. Cox.**

Chair Algeo invited comment or discussion. There being none, the vote was called.

**Motion passed unanimously.**

⇒ Zoning and SALDO Reenactments

Mary Eberle, Township Solicitor, explained that some time ago, the Supreme Court of Pennsylvania decided a case which held that, if there are procedure defects in your zoning ordinance, especially with regard to notice, those can be raised by anyone at any time to challenge the validity of your zoning ordinance. Developers are taking advantage of this. Municipalities are being encouraged to reenactment their zoning and subdivision and land development ordinances, do it right and protect it from procedural challenge in the future. Ms. Eberle is asking for authorization to advertise the reenactment ordinances for consideration of adoption at a meeting in September.

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**Motion by Mr. Thompson to authorize advertisement of the Zoning and SALDO Reenactment Ordinances, as presented by the Township Solicitor.  
Second to motion by Mr. Cox.**

Chair Algeo invited comment or discussion. There being none, the vote was called.

**Motion passed unanimously.**

■ **ENGINEER'S REPORT:**

- ⇒ T.C. Management (Warwick Business Campus, Lots 26 and 28) - Certification of Completion (exhibit)

Dave Connell, Township Engineer, reported that he has certified T.C. Management (Warwick Business Campus, Lots 26 and 28) land development as complete, noting there is nothing to dedicate.

- ⇒ Morrison / Nestlewood Tracts – Authorization to create a punchlist. (exhibit)

Dave Connell, Township Engineer, is asking for authorization to create a punchlist for the Morrison / Nestlewood Tracts.

**Motion by Mr. Thompson to authorize CKS Engineers to create a punchlist for the Morrison / Nestlewood Tracts.  
Second to motion by Mr. Cox.**

Chair Algeo invited comment or discussion. There being none, the vote was called.

**Motion passed unanimously**

- ⇒ Morrison / Nestlewood Tracts – Escrow Release N° 13 (exhibit)

Dave Connell, Township Engineer, is presenting a request for Morrison / Nestlewood Tracts – Escrow Release N° 13, in the amount of \$3,190.

Mr. Thompson asked what is left to do. Mr. Connell said it appears the paving work, the landscaping work and miscellaneous items, which is fairly normal at this point. The idea of a punch list before that work is done makes sense, because if there are curb repairs, pipe repairs, base paving repairs, we would want that done before the final paving.

**Motion by Mr. Thompson to approve Morrison / Nestlewood Tracts – Escrow Release N° 13, in the amount of \$3,190 (leaving a balance of \$132,087.63), as presented by the Township Engineer.  
Second to motion by Mr. Cox.**

Chair Algeo invited comment or discussion. There being none, the vote was called.

**Motion passed unanimously.**

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■ **OLD BUSINESS:**

⇒ New Life Christian Center Zoning Hearing Board Application

Ms. Weniger reported that this matter is going to the zoning hearing board and has been before the Board previously. Ms. Weniger reported she shared the information for the proposed signs and Supervisor Cox and Supervisor Thompson did not believe the signs were acceptable. Ms. Weniger notes there may still be some outstanding issues such as the daycare, buffer issues.

At this time, Chair Algeo turned the meeting over to Vice Chairman Thompson.

Kelly McGowan, attorney for applicant, said the signage proposal shows that the signs have gone down from five to two, although the square footage may be close to 200 so.

During discussion regarding signs, John Teets, applicant architect, spoke of relocation of the existing 8'2" x 6' high sign, 20" off the ground. The logo sign has been removed from the building. Mr. Teets states consultants have said 6" letters are necessary to be readable. Mr. Teets also explained the LED amber sign, noting that it was not animated. Mr. Thompson commented that there are two more variance requests, one regarding wetlands and the other is a daycare use.

Ms. McGowan said a large part of the wetlands issues is that existing parsonage and the existing building are already within the wetlands. Applicant displayed a drawing showing the wetlands buffer limit. It is proposed to create a parking lot and underground stormwater detention in the area. Applicant noted they are disturbing a little more than the allowed 20% and said this is the margin area, not the actual wetlands.

Mr. Cox asked, disregarding existing structures, the proposed parking lot and the four foot addition, what percentage of the wetlands is applicant encroaching upon. Applicant stated that they are including the existing structures, but does not know the percentage without the existing structures.

Ms. McGowan spoke of the daycare center, noting that under the C1 worship place use, G2 daycare center is a permitted accessory use provided the accessory use meets dimensional requirements. Ms. McGowan said applicant is asking if applicant also needs a variance from dimensional requirements set forth under G2 daycare center.

Mr. Thompson said he has thought of the variance request regarding the setback requirement and notes we have denied pools, additions, fences, etc. within 100 feet of open space, and asks how we can waive what we have made others do.

Mr. Thompson spoke of the fifty foot setback and noted that on the St. Cyril side they have trees every twenty feet on Almshouse and Meetinghouse Roads and does not believe we can waive that. Applicant will provide trees at intervals required, as well as some plantings.

Mr. Thompson suggested that in exchange for allowing 27' setback, applicant will give the Township access to the Township park property in the back. Applicant agrees. Mr. Thompson also notes no problem with a variance request from the buffer as long as applicant does some type of planting in the front. Mr. Thompson also notes he has no problem with any of the three stone monument signs that were shown. Mr. Cox agrees with Mr. Thompson.

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Mr. Thompson asked if any of the signs are electronic. Applicant notes the sign is back lit or has a light box.

Mary Eberle, Township Solicitor, will let the zoning hearing board know what conditions the Board of Supervisors would like imposed, as seen here today.

Ms. Algeo resumed her position as Chair.

■ **NEW BUSINESS:**

➤ Historical Society

Ms. Weniger reported that she has received a request from the Historical Society for permission to hold a Christmas Craft Fair at the Moland House. The Historical Society believes they may make as much as \$800 to \$1,000 profit from the event.

The Board of Supervisors are consensus that the Historical Society can hold a Christmas Craft Fair at the Moland House.

Ms. Weniger also noted that the Historical Society would like the next date for a public meeting at the Moland House.

■ **PUBLIC COMMENT:** There was no public comment.

■ **ADJOURNMENT:**

The July 2, 2007, Warwick Township Board of Supervisors' public meeting was adjourned at 8:55 p.m.

Respectfully submitted,



Gail V. Weniger,  
Township Manager/Secretary

These minutes were approved at the  
Board of Supervisors' meeting held: **August 6, 2007**

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Warwick Township  
**DISCLOSURE STATEMENT**

I, Judith A. Algeo, hereby disclose that I will not  
(please print name clearly)

be participating in any discussion / hearing or decision on the matter(s) of:

New Life Christian Center ZHB application  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The nature of my conflict is applicant represented by Eastham  
E. Gray  
\_\_\_\_\_  
\_\_\_\_\_

Judith A. Algeo  
Signature

Date: 7/2/07

CONFIDENTIAL

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