

BUCKINGHAM TOWNSHIP

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BUCKINGHAM TOWNSHIP
Board of Supervisors
Work Session Agenda
June 21, 2023
6:00 p.m.

- Request to grant requested Waivers of the Buckingham Township Stormwater Ordinance for 4921 Lower Mountain Road, TMP 6-18-159.
- Request to install replacement Septic System within a Reforestation Easement or to allow a connection to the public wastewater system requiring an easement through neighboring property(ies) for 2873 West Fox Chase Circle, TMP 6-10-91-6.
- Request to grant a Waiver of Land Development to allow a third tenant/use in the existing structure presently being used as a multi-tenant building by Mountain Lake Pool & Patio, 4140 Skyron Drive, TMP 6-4-10-9.
- Request to grant a Waiver of Land Development for an Outdoor Classroom at Cold Spring Elementary School, TMP 6-6-5-3.
- Manager's Items
- Executive Session

Buckingham Township Board of Supervisors
Work Session
Minutes

The work session of the Buckingham Township Board of Supervisors was held June 21, 2023 in the Township Building, 4613 Hughesian Drive, Buckingham, Pennsylvania.

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| Present: | Paul Calderaio | Chairman |
| | Jon Forest | Vice-Chairman |
| | Maggie Rash | Member |
| | Dana S. Cozza | Township Manager |
| | Daniel Gray | Township Engineer |
| | Craig A. Smith, Esquire | Township Solicitor |
| | Gary Weaver | Township Water/Wastewater Consultant |

Not Present: Luke Rosanova Bucks County Planning Commission

The work session began at 6:00 p.m.

Request to grant requested Waivers of the Buckingham Township Stormwater Ordinance for 4921 Lower Mountain Road, TMP 6-18-159.

Mr. Nick Lykon was present to informally discuss a waiver request from the requirements of the Buckingham Township Stormwater Ordinance in order to add 8,128 square feet of new impervious surface to the 5,000 square feet of impervious surface already installed. Mr. Lykon distributed packets describing the previously permitted impervious coverage and proposed additional impervious coverage.

Mr. Lykon said the additional proposed impervious surface area will create 2600 cubic feet of additional stormwater. He proposed directing the additional stormwater to an existing concrete "pond" (previously used as a swimming pool) which already receives stormwater. However, his engineer is unable to produce calculations as while he has broken the concrete at the bottom of the pool, they are unable to measure the drainage properly. However Mr. Lykon contended it is working because it does drain. He explained that even the newly installed rain gutters from the barn and the house drain to the concrete "pond". Mr. Lykon said he is aware that the pool is located in an environmentally sensitive area, being 10' from the creek, but that it has only overflowed one time while he has lived there since April of 2019 and that was during a hurricane storm.

Mr. Lykon offered his opinion that with the reduction in stormwater runoff consistent with their conservation plan and best management practices in farming (going from row crops to hay), and the stormwater diversion to the "pond", they are net negative in stormwater runoff from the additional impervious area. Mrs. Rash acknowledged the work Mr. Lykon has done, but said the township cannot grant a waiver on stormwater management requirements based on converting tillable land to hay without some sort of

deed restriction as other farmers in 10-20 years could convert that hay field to a different crop.

Mr. Gray said his concern is that the concrete “pond” is not a functioning stormwater facility that meets township basin requirements as the water is not being managed, but rather is leaking out at a rate that cannot be measured. Mr. Lykon argued that they could design and build a system underground in the bare field, but they have an existing area that is working. He added they are under additional constraints due to being a preserved farm with a limited area to install the basins as they cannot fit within the curtilage.

Mr. Gray suggested it would be a better use of a waiver request to find an alternative way for his engineer to document the concrete pond infiltration rather than requesting relief from the stormwater management requirements altogether. Mr. Gray also noted that the simplified method of calculating stormwater requirements demonstrated in Mr. Lykon’s submission is used for smaller projects, such as patios, and is not applicable to this much larger project entailing much more impervious surface.

Mr. Lykon said if the Board does not grant the waivers as requested because his engineer cannot come up with the required calculations using the existing concrete “pond”, they will withdraw their application for a swimming pool and patio as this has already taken too much time and expense. Mr. Lykon requested the Board accept the improvements that have been completed, including the areas where they added more impervious area than was submitted on the original submission. Mr. Gray calculated the revised relief so requested to be 4,000 square feet over and above the 5000 square feet originally permitted. Mr. Lykon disagreed stating it really only exceeds by 2,400 square feet the permitted impervious surface increase, as the pool and patio were not installed. Mr. Gray recommended that Mr. Lykon ask his engineer to call him to discuss how the concrete “pond” could be calculated so as to provide some credit.

Mrs. Rash said in summary that he has already installed, even by his account, 2,400 square feet of impervious surface beyond what he is allowed and his engineer has declined to offer any calculation of or methodology by which the old swimming pool can be used to address stormwater from the additional impervious surfaces so the Board would not be granting any of the requested waivers this evening. Mr. Calderaio and Mr. Forest agreed.

Request to install replacement Septic System within a Reforestation Easement or to allow a connection to the public wastewater system requiring an easement through neighboring property(ies) for 2873 West Fox Chase Circle, TMP 6-10-91-6.

Mr. Azevedo explained that he lives three houses away from 2873 West Fox Chase Circle, and purchased the lot as it had a house in decay that he wanted to renovate and sell to keep the neighborhood nice. Mr. Azevedo said during the process, they discovered the failing septic system. Mr. Azevedo said in working with the Bucks County Department of Health and Franc Environmental, the options are to replace the septic system or to connect to the main line in the development behind this property, on French

Drive. Mr. Azevedo said the Department of Health located a replacement area on the lot, however it is located within a reforestation easement which is noted on the approved record plan.

Mr. Gray said the original development plan shows the easement on this lot and 2-3 other connecting lots, which was designated to provide an area to plant trees to accommodate a tree clearing overage that was taken during the development of the site.

Mr. Smith said that in order to change a recorded easement that benefits all of the homeowners, they would all need to sign off. Mr. Gray noted there are 28 homes in the development.

Mr. Weaver said the other option is to connect to Bucks County Water and Sewer Authority as this property is outside of Buckingham's service area. He said BCW&SA does have capacity, however it would require running an 880' line down Fox Chase Road or cutting through a neighbor's easement which is presently wooded.

Mrs. Cozza asked if there was space for the system to be placed on Mr. Azevedo's property, and to reforest in another area? Mr. Weaver said yes. Mr. Azevedo said he had already planned to plant trees in the back as a buffer so he was in favor of this suggestion.

Mr. Smith suggested that the township could prepare a resolution that with the understanding of the land development plan and recorded easement, and that no existing trees shall be removed from the easement area, to allow Mr. Azevedo to have the septic system installed within the reforestation easement area, with the agreement that he will plant additional trees on the property. The Board agreed that the resolution could be prepared for the July business meeting.

Request to grant a Waiver of Land Development to allow a third tenant/use in the existing structure presently being used as a multi-tenant building by Mountain Lake Pool & Patio, 4140 Skyron Drive, TMP 6-4-10-9.

Mr. Gerry Higgins was present with Mr. Stachels' daughter, and said that Mr. Stachel had recently passed away and he was helping the family as a friend in applying for the Waiver of Land Development to allow a third tenant/use to occupy the building. He said the building is totally sprinklered with fire separations, and they propose no physical change to the space they wish to rent as warehouse space to Karen Thompson, owner of the Lace Silhouette Lingerie shop in Peddler's Village. Mr. Higgins said that the warehouse use is a permitted use in the zoning district.

Mr. Gray noted that neither the Fire Marshal nor the Zoning Officer had concerns, and had confirmed there would not be an increase in parking needed for the additional use. Mr. Gray said there are however, other permitted uses in the zoning district that could potentially require an increase in parking spaces.

Mrs. Cozza confirmed this is a building that currently has 2 uses/tenants, and requests to add a third, with no increase in parking required.

Mr. Smith suggested the Board could consider granting the waiver of land development noting it is for the Office and Warehouse Use; provided, however, that no additional square footage is added to the building and further provided that any future new uses do not require additional parking spaces beyond that which are currently provided. The Board agreed to add this matter to tonight's business meeting agenda for consideration.

Request to grant a Waiver of Land Development for an Outdoor Classroom at Cold Spring Elementary School, TMP 6-6-5-3.

Mr. Tom Hanna was present to request a Waiver of Land Development to install a pavilion to provide an outdoor space for learning at Cold Spring Elementary School. He said the 24' x 28' pavilion would be on the side of the school facing Our Lady of Guadalupe church, accessed by ADA compliant sidewalks coming from two doors of the school.

Mr. Hanna said they had received comments from Knight Engineering and would work with Mr. Gray to convey the stormwater to the existing system, rather than install rain barrels as originally proposed.

The Board had no concerns and agreed to vote on this item during this evening's regular business meeting.

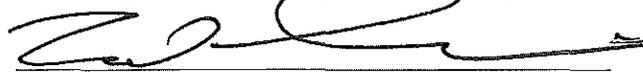
7:30 p.m. *The Work Session adjourned.*

8:30 p.m. *The Work Session resumed with Executive Session to discuss police personnel and the Froehlich litigation.*

8:45 p.m. *The Work Session adjourned.*

Approved by the Board of Supervisors on the 26th day of July, 2023.

Buckingham Township Board of Supervisors

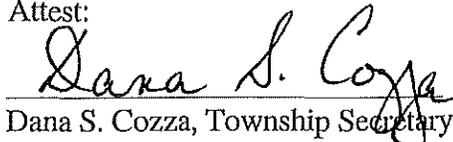


Paul Calderaio, Chairman

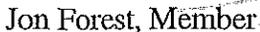


Maggie Rash, Vice-Chairman

Attest:



Dana S. Cozza, Township Secretary



Jon Forest, Member

Minutes respectfully submitted by Lori Wicen.