

BUCKINGHAM TOWNSHIP

P.O. Box 413, Buckingham, Pennsylvania 18912
Phone (215) 794-8834 • Fax (215) 794-8837

Website - www.buckinghampa.org



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BUCKINGHAM TOWNSHIP
Board of Supervisors
Work Session Agenda
December 13, 2023
6:00 p.m.

6:00 p.m. Manager's Items

7:00 p.m. Thomas Van Natta – 1828 Holicong Road, TMP #6-21-17
Zoning Hearing Board Application

Executive Session (following Regular Business Meeting)

Buckingham Township Board of Supervisors
Work Session
Minutes

The work session of the Buckingham Township Board of Supervisors was held December 13, 2023 in the Township Building, 4613 Hughesian Drive, Buckingham, Pennsylvania.

Present:	Paul Calderaio	Chairman
	Maggie Rash	Vice-Chairman
	Jon Forest	Member
	Dana S. Cozza	Township Manager
	Craig A. Smith, Esquire	Township Solicitor
Not Present:	Daniel Gray	Township Engineer
	Luke Rosanova	Bucks County Planning Commission
	Gary Weaver	Township Water/Wastewater Consultant

Fire Company Funding

The Board discussed the ongoing request by the three volunteer fire companies servicing Buckingham Township for an increase in township provided financial assistance, and considered the options of increasing millage but discussed only doing so if approved by a referendum on an upcoming election ballot for the residents to vote on. Mrs. Cozza said that since the budget was just adopted for 2024, a millage increase would need to wait until the next budget in 2025. The Board agreed to investigate the procedure and timing to have a referendum to increase millage on an upcoming election ballot, including the need to explain to residents the benefits of increasing tax dollars currently provided to our volunteer fire companies versus the alternative option of a paid, non-volunteer, fire company/department, which would require a much greater tax increase than a modest increase to supplement the current funding.

Buckingham Township Energy Transition Plan

Mrs. Rash shared the draft Buckingham Township Energy Transition Plan that the Environmental Advisory Commission has been working on, and said that the Environmental Advisory Commission requested to present this to the Board of Supervisor's during their January 24, 2024 work session. Mr. Forest and Mr. Calderaio agreed that would be fine.

Township Consultants

Mrs. Cozza shared the township consultant proposals received for year 2024, and asked if the Board was agreeable to the rates proposed. The Board was agreeable and the proposals shall be included in a resolution to be placed on the annual reorganization meeting agenda.

6:50 p.m. The Board of Supervisor's retired into Executive Session to discuss police personnel matters, ongoing police litigation, and potential acquisition of additional land for sprayfields for sanitary sewage treatment.

7:00 p.m. The Work Session resumed.

**Thomas Van Natta – 1828 Holicong Road, TMP #6-21-17
Zoning Hearing Board Application**

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Bryce McGuigan, Esquire, Mr. Richardson of Dumack Engineering and Mr. Van Natta were present along with many residents neighboring the Van Natta property, to discuss Mr. Van Natta's Zoning Hearing Board application currently under consideration.

Mr. McGuigan explained that Mr. Van Natta and his wife would like to build a ranch-style home on a section of their property in an area that is located on a steep slope and is wooded. He said the plan had been revised to decrease the number of requested variances by relocating the proposed driveway to an area with less tree disturbance, and placing the house further into the property to be compliant with the required setbacks and township buffer requirements. He explained the plan no longer needs a variance from steep slopes or woodland disturbance. Mr. McGuigan said they have a stormwater management plan to direct the flow of water into a dry well, and have completed septic testing.

Mr. McGuigan said the variance requests were reduced from seven to three, and now include a request for setbacks to be based on the actual property lines (not the resource protected lands), to permit disturbance of 15% of perimeter trees, and to permit removal of a 36" caliper tree that is located where the driveway is planned.

Mr. McGuigan said the plan is to subdivide the 8 acre property into two parcels while maintaining the natural conditions.

Mr. Smith explained that legally, Mr. Van Natta is already using the property for one compliant single-family home without the need for zoning relief. Hence it is beyond dispute that no variance is needed for Applicant to make reasonable use of the property for one single-family home. Rather, Applicant seeks variance relief in order to subdivide the property and construct two single-family homes in an effort to maximize profitability. This is not sufficient to constitute unnecessary hardship. As such, the variance is not the minimum variance that would afford relief and the Applicant is creating the alleged hardship he seeks to remedy. Mr. McGuigan agreed that without the variances, they could not subdivide the lot.

Mr. Calderaio said his concern is that the neighbors bought their properties with a view of a wooded lot with one house on it, that Mr. Van Natta now wants to change by requesting the township to allow variances from the Zoning Ordinance.

Mr. Forest asked the neighbors present if any of them were in favor of this request, and none were. Mr. Fridey, Lower Mountain Road, said one of his neighbors was unable to attend this evening, but is not in favor of the project.

Ms. Platt, Holicong Road, said that she lives adjacent to the 1828 Holicong Road property and read a statement explaining the reasons she and her wife are opposed to the proposed project, and said that she had brought letters from four neighbors who could not attend this meeting who were also opposed to the project.

Mr. Van Natta argued that some of the points in Ms. Platt's statement are factually incorrect. He said the current house was rented as an Airbnb, because he did not know there was an ordinance against it, and that he has shut it down with the last guest coming this month. He said that the neighbors had cut down trees that were on his property. Mr. McGuigan noted there are personal animosities between the neighbors, but that is not the purpose of the meeting. Mr. McGuigan said they know they need to go through the Zoning Hearing Board process, and then the subdivision process, and confirmed that the neighbors would receive notice of all meetings. He said if approved, Mr. and Mrs. Van Natta planned to move into the new home, and the current home would be sold or rented, but not be used as an Airbnb.

Mr. Calderaio said that as a general statement, plans change and while their intentions now are to build and live in the new home, that could change. Mr. Forest asked if they sold the proposed new lot what would stop someone else from building a 2-3 story house there? Mr. McGuigan said that could be protected by the Zoning Hearing Board placing reasonable conditions on the request for relief, to only allow a rancher house no more than 4,000 square feet, as their application specifies.

Mr. Calderaio said given the time, they would close the Work Session and continue this discussion during the public comment component of the business meeting.

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

8:46 p.m. The Work Session resumed with Executive Session to continue to discuss police personnel matters, ongoing police litigation, and acquisition of additional land for sprayfields for sanitary sewage treatment.

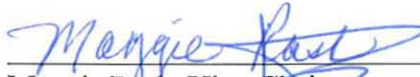
9:45 p.m. The Work Session adjourned.

Approved by the Board of Supervisors on the 2nd day of January, 2024.

Buckingham Township Board of Supervisors



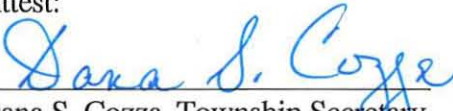
Paul Calderaio, Chairman



Maggie Rash, Vice-Chairman


Jon Forest, Member

Attest:



Dana S. Cozza, Township Secretary

Minutes respectfully submitted by Lori Wicen.

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