

A. **OPENING**

1. **CALL TO ORDER:** The meeting of the Richland Township Board of Supervisor's was called to order on Monday, August 12, 2024, at 7:00 p.m. with Kathie Doyle, Chairperson President.
2. **ROLL CALL: Present:** Kathie Doyle, Chair; Chris Vanelli, Vice Chair; Tim Arnold, Member; Leslie Huhn, Township Manager; Mike Kisthardt, Sergeant; Linc Treadwell, Township Solicitor; Mike Schwartz, Township Engineer; and Vicki Schuller, Administrative Assistant.  
**Absent:** Rich Ficco, Police Chief
3. **PLEDGE OF ALLEGIANCE**

B. **ANNOUNCEMENTS**

C. **PRESENTATIONS**

1. **Introduction, Hiring, and Swearing-In of New Police Officer – Nicholas J. Lafata**  
Chief Ficco is recommending hiring Police Officer Nicholas J. Lafata.

Motion to approve the hiring of Police Officer Nicholas J. Lafata.

**MOTION BY:** Tim Arnold  
**SECOND BY:** Chris Vanelli  
**MOTION CARRIED**

D. **PUBLIC HEARINGS** – None

E. **PUBLIC COMMENT** – Agenda Items Only

**Bill Erdman – 5533 Heather Lane, Orfield**

Keystone Consulting Engineering on behalf of the Twin Lakes Homeowners Association. With Nick and Peter, who is the president of the association. The biggest question is getting work done timely. Asking on the behalf of the community since it is completely developed now, is there anything that can be done sooner rather than later such as tree planting and some construction debris on the open spaces is, to the extent that the board is able to keep the pressure on the developer. It is going into the maintenance period so does that mean the Township begins plowing the streets at the start of the maintenance period? Linc Treadwell responded that if the Board chooses to accept dedication of the roads tonight, then yes, we will plow the streets.

**Bob Dontonville – 1234 Winterthur Lane, Quakertown**

This warehouse will be in my back yard, as I look out my window, I will see 35 feet or 50 feet of warehouse. 600,000 square feet, 2 million cubic feet, 3 million cubic feet if you go to 50 feet high and 100 loading docks. That is a lot of truck traffic and by going higher that is a lot more traffic. That is why we are opposed to allowing the variance.

**Karin Wheelin – 1219 Winterthur Lane, Quakertown**

I live in Brayton Garden across the street from the warehouse. I would like to comment on the variance request by Development Services for a building height increase from 35 to 50 feet. I am requesting that the Board of Supervisors go on record as opposing the variance. The reasons are twofold. The first focus is on the adverse impact the increase would have on the neighborhood and environment. The request is for a 41% increase over the 35 maximum that is allowed. Increasing to 50 feet takes the warehouse capacity from a little over 2 million cubic feet to over 3 million cubic feet. This will consequently increase the truck traffic at an already stressed intersection. There will also be higher usage of the local infrastructure, particularly Tollgate Road which was not built to handle tractor trailer usage. A height increase will also increase pollution and noise directly related to the capacity and trucks from the warehouse. Going from an approximately 3 story building to a proposed 5 story warehouse would visually loom over our houses and neighborhood and greatly affect the aesthetics of our residential areas immediately adjacent to the project.

This is already a high building at 35 feet and with over 100 loading docks. Whatever impact this project will ultimately have on our neighborhood, increasing the height only increases the adverse consequences. The second and most important reason to oppose this variance is that there is no hardship. The property owners and developers must show a hardship in order to grant this variance, and I don't see how there is a hardship.

**Donna Stanziola – 232 Tollgate Road, Quakertown**

One thing that has happened since the variance, I oppose that it is even going to be there, let alone with this variance, but when the traffic light went out at 309 and Tollgate Road, Tollgate Road was backed up to Trumbauersville. Two tractor trailers thought it might be okay to try to turn around in her driveway. If this goes through there will be constant tractor trailers going through there. How anyone can possibly think Tollgate Road can handle more tractor trailers is unbelievable. The higher you make it, the more traffic.

**Darren Rice – 1215 Winterthur Lane, Quakertown**

What are the conditions and criteria you would look at to grant a specific variance in this case? Linc Treadwell responded saying this Board does not grant the variance, the Zoning Hearing Board does. What this Board looks at is the request that is made by the applicant and decides whether it believes that this has a large effect on the community and decides to support, oppose or take no action on this matter. 99% of the time this Board takes no action on variance requests. They allow the applicant to go to the Zoning Hearing Board. You are allowed to go to the Zoning Hearing Board to object to the granting of the variance if you so choose. There are no criteria for this Board. There are criteria for the Zoning Hearing Board in granting a variance.

**F. ZONING HEARING BOARD APPLICATIONS**

**1. Leon H. Kubek – 273 Union Road – TMP No. 36-029-072-003 Variance Request for Building Height**

The property is located at 273 Union Road, TMP No. 36-029-072-003. The subject lies within the Rural Agricultural (RA) Zoning District. The property is approved as a B1 Single-Family Detached Use. The applicant is proposing to construct an accessory residential structure (Pole Building 40' x 80' 3,200 SF with elevated covered decks on each end of the proposed pole building. The applicant is seeking the following variance request:

1. A variance from 27-405 H2 (i); to allow the proposed accessory structure to exceed the maximum allowable building height of 24 feet. The proposed accessory structure is 28'-8 5/8" in height.

The ZHB application was submitted incomplete on June 19, 2024, and was stamped administratively complete on July 11, 2024. The 60-day MPC timeframe is set to expire on September 8, 2024. The Zoning Hearing Board meeting is scheduled for Thursday, August 22, 2024.

The Board chose to take no action in the matter.

**2. Development Services, LLC – Southwest Corner of Tollgate Road and S. West End Blvd. – TMP Nos. 36-038-031, 36-013-051, 36-013-052 and 36-013-053 – Variance Request to Exceed Building Height**

The properties are located at the Southwest corner of Tollgate Rd. and S. West End Blvd. The applicant is proposing to consolidate four parcels consisting of 62.32 Acres – TMP Nos. 36-013-013 (130 S. West End Blvd.), 36-013-051 (No assigned address), 36-013-052 (150 Tollgate Rd.) and 36-038-031 (142 Tollgate Rd.) to construct a (649,230 SF) warehouse building (G3 Warehouse Use). The subject properties are in the Planned Commercial (PC) Zoning District and lie within

the Arterial Corridor (AC) Overlay Zoning District. The applicant is seeking the following variance request:

1. A variance from 27-513, to allow the proposed warehouse building to exceed the maximum allowable building height of 35' feet. The proposed warehouse building is 50' in height.

The ZHB application was submitted administratively complete on July 17, 2024. The 60-day MPC timeframe is set to expire on September 14, 2024. The Zoning Hearing Board meeting is scheduled for Thursday, August 22, 2024.

Motion to have our Township Manager send a letter to the Zoning Hearing Board and their solicitor, making them aware that this Board of Supervisors, unanimously does not support this variance request.

**MOTION BY:** Tim Arnold

**SECOND BY:** Chris Vanelli

**MOTION CARRIED**

3. **Quakertown Investors, LLC (Taco Bell) – N. West End Blvd. and W. Pumping Station Rd., TMP 36-005-123-009 – Variance Request**

The property is located at the corner of N. West End Blvd. and W. Pumping Station Rd., TMP No. 36-005-123-009 and is located within the Planned Commercial (PC) Zoning District and the Arterial Corridor (AC) Overlay Zoning District. The property is vacant. The applicant is proposing to develop the property as an E22 Multiple Commercial Use consisting of a Taco Bell (2,722 s.f.), Tim Horton's (1,610 s.f.) and a retail (1,800 s.f.) establishment. The applicant is seeking the following variances:

1. A variance from 27-405. E6(a); to provide less than the required (8) stacking spaces. (4) is proposed.
2. A variance from 27-405. E22(g); to provide less than the required 20 feet building separation. (15) feet is proposed.
3. A variance from 27-513; to provide less than the required 65 feet front yard setback along W. Pumping Station Road. 33.1 feet is proposed.
4. A variance from 27-514.D.(2); to disturb steep slopes of 15-25%, 30% disturbance is permitted. 85% of disturbance is proposed.
5. A variance from 27-514.D.(3); to disturb steep slopes of 25%+, 15% is permitted. 85% is proposed.
6. A variance from 27-514.K.; to be less than 50 feet setback from the stream. 20.2 feet setback is proposed.
7. A variance from 27-516.2.; to have less than the required 25 feet buffer width. 6 feet proposed for Taco Bell trash enclosure and 14-8 feet for other proposed trash enclosure.
8. A variance from 27-516.2.C.; to allow improvements within the buffer yard. Trash enclosures, retaining wall, stormwater facilities, access drive, bypass lanes and parking spaces, as shown on the Zoning Plan.
9. A variance from 27-544; from providing dedicated loading areas.
10. A variance from 27-557; to allow the trash enclosures and buildings within the required yard setbacks.
11. A variance from 27-603; to allow access to an Arterial Road.
12. A variance from 27-604; to allow the freestanding pylon sign along N. West End Boulevard to be constructed within the front yard within the Arterial Corridor (AC) Overlay Zoning District.
13. A variance from 27-911.1.A; to allow for more than one freestanding sign. 1 Pylon and 4 Menu Boards are proposed.

The ZHB Application was submitted stamped administratively complete on March 6, 2024. It is noted that the applicant has been granted extensions to hold the Zoning Hearing Board meeting set to expire September 1, 2024. The Zoning Hearing Board meeting is scheduled for Thursday, August 22, 2024.

The board chose to take no action in the matter.

**G. DEVELOPER MATTERS**

**1. Quakertown Mitsubishi – Stormwater Exemption Request – 840 S. West End Blvd. – TMP No. 36-025-002**

The applicant is proposing to construct a 30' x 100' 3,000 square foot nonresidential accessory building over existing asphalt area. As a result, no new impervious surface will be added. The applicant has requested an exemption from the stormwater management requirements. If the exemption is granted the applicant shall pay the \$250.00 exemption fee.

Motion to approve a Stormwater Exemption for 840 West End LLC – (Quakertown Mitsubishi) subject to receiving the required exemption fee in the amount of \$250.00.

**MOTION BY:** Chris Vanelli

**SECOND BY:** Tim Arnold

**MOTION CARRIED**

**2. Quakertown Mitsubishi – Waiver of Land Development – 840 S. West End Blvd. – TMP No. 36-025-002**

The subject property (Quakertown Mitsubishi) is located at 840 S. West End Boulevard, Tax Map Parcel No. 36-025-002 in the Planned Commercial (PC) Zoning District and the Arterial Corridor (AC) Overlay Zoning District. The applicant is proposing to construct a 30' x 100' 3,000 square foot nonresidential accessory structure to support the existing E18 Automotive Sales Use. The building construction will take place in an area currently covered by asphalt. As a result, no new impervious surface is being added. The applicant received Zoning Hearing Board variance relief from 27-516 of the Zoning Ordinance; to eliminate buffer requirements along property lines on June 27, 2024. The applicant will give a brief presentation of their waiver of land development request.

Motion to approve a waiver of Land Development for 840 S. West End LLC – (Quakertown Mitsubishi) conditioned upon the following:

1. Compliance with the Gilmore and Associates erosion and sedimentation (earth disturbance) approval letter dated July 12, 2024.
2. Compliance with the Zoning Hearing Board decision dated July 30, 2024.
3. Compliance with regulations of all municipal and governmental agencies having jurisdiction.

**MOTION BY:** Tim Arnold

**SECOND BY:** Chris Vanelli

**MOTION CARRIED**

**3. Snyder Tract – 360 W. Paletown Rd. – TMP No. 36-039-025 – Sketch Plan Review**

The applicant will present their proposal to develop a B1 Single-Family detached use consisting of 165 single-family dwelling units located at 360 W. Paletown Rd., TMP No. 36-039-025. The applicant would like the board to consider rezoning several parcels currently located in the Rural Agricultural (RA) Zoning District to the Suburban Residential Medium (SRM) Zoning District.

Dave Caracausa and Brian Seidel presented on behalf of Mr. Snyder with regards to his property at 360 W. Paletown Rd., approximately 88 acres and sits just east of S. Old Bethlehem Pike and west of the Arbors. The property has about 2,500 linear feet of frontage on Paletown Rd. There is currently an older farmhouse on the property, a small pond and to the rear of the property is Morgan Creek, across from the Twin Lakes community. About a year ago there was an amendment to the Comprehensive Plan that took Mr. Snyder's property and quite a few adjacent properties and identified them as a primary development area and the Comprehensive Plan was amended. We are here to present a potential rezoning of the property. Before we came to you at tonight's meeting, we did take the time to meet with Staff and to meet with the Townships consultants to discuss exactly what the thoughts/vision was for potentially rezoning a particular property. Brian gave an overview of the sketch plan. The BOS thinks leaving it RA may be too restrictive however, the number of homes proposed is excessive. This is not what the Board envisioned when changing the Comprehensive Plan. BOS suggested talking to staff and coming up with options.

4. **Twin Lakes – Phase 1 Escrow Release Request #7 (Final) and Phase 2 Escrow Release Request #4 (Final)**

Gilmore and Associates, Inc. has conducted an inspection for work completed and is recommending a release for Twin Lakes – Phase 1 escrow release #7 in the amount of \$250,002.28 and Twin Lakes – Phase 2 escrow release #4 in the amount of \$50,537.21.

Motion to approve Twin Lakes – Phase 1 escrow release #7 in the amount of \$250,002.28, subject to any outstanding invoices owed to the Township being paid to date.

**MOTION BY:** Chris Vanelli

**SECOND BY:** Tim Arnold

**MOTION CARRIED**

Motion to approve Twin Lakes – Phase 2 escrow release #4 in the amount of \$50,537.21, subject to any outstanding invoices owed to the Township being paid to date.

**MOTION BY:** Chris Vanelli

**SECOND BY:** Tim Arnold

**MOTION CARRIED**

5. **Twin Lakes – Resolution #2024-15 Dedication of Roads and Request to Enter into 18-Month Maintenance Period**

Motion to approve Resolution #2024-15 accepting the dedication of Blue Gill Dr., Morgan Creek Dr., Perch Way, South Old Bethlehem Pike, Sunfish Circle and Twin Lakes Drive to Richland Township.

**MOTION BY:** Tim Arnold

**SECOND BY:** Chris Vanelli

**MOTION CARRIED**

Motion to approve Twin Lakes be entered into the 18-month maintenance which would end on February 12, 2026.

**MOTION BY:** Tim Arnold

**SECOND BY:** Chris Vanelli

**MOTION CARRIED**

**H. BOARD & STAFF APPOINTMENTS**

**I. TOWNSHIP BUSINESS - NEW**

**1. Approval of Meeting Minutes**

Motion to approve the July 8, 2024, Board of Supervisors Meeting Minutes

**MOTION BY:** Chris Vanelli

**SECOND BY:** Kathie Doyle

**MOTION CARRIED**

**2. Financial Business – Approve payment of bills**

Motion to approve payment of the July 2024 bills.

**MOTION BY:** Tim Arnold

**SECOND BY:** Chris Vanelli

**MOTION CARRIED**

**3. Rail Trail 5k/10k Benefit Run for Richland Township Fire and Rescue**

Tom Marino is requesting the use of the Upper Bucks Rail Trail on Saturday, September 28, 2024, from 7:30 a.m. to 11:00 a.m. for a 5k/10k run to benefit Richland Township Fire and Rescue. Last year's event raised over \$7,500 and they are hoping to raise even more this year.

Motion to approve the use of the Upper Bucks Rail Trail on Saturday, September 28, 2024, from 7:30 a.m. to 11:00 a.m. for a 5k/10k run to benefit Richland Township Fire and Rescue.

**MOTION BY:** Tim Arnold

**SECOND BY:** Chris Vanelli

**MOTION CARRIED**

**4. Unami Creek Restoration – Award of Bid Recommendation Letter**

Gilmore & Associates, Inc. has reviewed the three (3) bids submitted for the Unami Creek Restoration project. Upon review, they determined that Brightfields, Inc. is the low bidder for the project. All the required bid documents were properly completed, and a Bid Bond was included. They recommend that the contract for the Stream Restoration of Unami Creek be awarded to Brightfields, Inc., in the amount of \$89,523.00.

Motion to award the contract for the Stream Restoration of Unami Creek to Brightfields, Inc., in the amount of \$89,523.00.

**MOTION BY:** Chris Vanelli

**SECOND BY:** Tim Arnold

**MOTION CARRIED**

**5. 2023 Audit Report**

The 2023 audit report was prepared by Hutchinson, Gillahan & Freeh. There were no findings.

Motion to acknowledge receiving the 2023 Financial Audit Report as prepared by Hutchinson, Gillihan & Freeh.

**MOTION BY:** Kathie Doyle

**SECOND BY:** Tim Arnold

**MOTION CARRIED**

**J. TOWNSHIP BUSINESS ITEMS – OLD**

**K. BOARD & STAFF REPORTS**

**1. SUPERVISORS**

Tim Arnold – All 3 movie nights were cancelled due to inclement weather. There are eggs stuffed with candy and raffle hand outs that will be distributed at Community Day. There will be a credit for the movies that will carry over to next year.

Kathie Doyle – National Night Out was also cancelled because of inclement weather. BJ's sponsored this event and donated 45 cases of ice cream sandwiches. We were unable to return this item so it will be distributed at a later date.

**2. TOWNSHIP MANAGER – None**

**3. ENGINEER – None**

**4. SOLICITOR – None**

**5. POLICE CHIEF – None**

Mike Kisthardt – One of Officer Rob Diamond's jobs is inspecting commercial vehicles. Last week he went to Harrisburg and passed the Weights & Measures class.

**L. PUBLIC COMMENT**

**M. ADJOURNMENT**

Motion to adjourn at 8:04 p.m.

**MOTION BY:** Chris Vanelli

**SECOND BY:** Tim Arnold

**MOTION CARRIED**