

**SOLEBURY TOWNSHIP BOARD OF SUPERVISORS**

**August 16, 2016 – 7:00 P.M.**

**Solebury Township Hall**

**MINUTES**

Attendance: James Searing, Vice-chair, Noel Barrett, Paul Cosdon and Kevin Morrissey. Helen Tai, Chair, participated in the meeting via speaker phone. Dennis H. Carney, Manager, Michele Blood, Finance Director and Jordan B. Yeager, Solicitor were also in attendance.

The meeting was called to order followed by the Pledge of Allegiance.

**Approval of Bills Payable**

**Res. 2016-106 – Upon a motion by Mr. Barrett, seconded by Mr. Cosdon, the list of Bills Payable dated July 28, 2016 was unanimously approved as prepared and posted.**

**Res. 2016-107 – Upon a motion by Mr. Barrett, seconded by Mr. Cosdon, the list of Bills Payable dated August 11, 2016 was unanimously approved as prepared and posted.**

Mr. Cosdon commented that he has asked the Township Manager to look into getting an elevator inspector that is closer to the Township facility because the travel costs for the current vendor are greater than the actual inspection cost.

**Approval of Minutes**

**Res. 2016-108 – Upon a motion by Mr. Morrissey, seconded by Mr. Cosdon, the Minutes of July 19, 2016 were unanimously approved as written and posted.**

**Announcements/Resignations/Appointments**

- Mr. Searing noted an executive session held before the meeting to discuss personnel, specifically the Farm Committee, and litigation regarding zoning and building code enforcement.

- **Res. 2016-109 – Upon a motion by Mr. Barrett, seconded by Mr. Cosdon, the resignation of Greg Cathcart from the Parks & Recreation Board was unanimously accepted.**

- Mr. Searing thanked Mr. Cathcart for his service with Parks & Recreation, and for his service as a community coach.

- Mr. Cosdon noted that this resignation creates an opening on the P&R Board and invited the public to submit letters of interest to the administration.

**Supervisor Comments**

- Mr. Searing commended the Public Works crew for their clean-up activities after the weekend storm in getting the roads cleared quickly.

- Mr. Searing commented on the acceptance by the Board of the Chiesa property donation at the last meeting, specifically acknowledging Ben Meadows for his assistance in the matter.
- Mr. Searing commended all the individuals involved in organizing the annual New Hope Auto Show, specifically the P&R Committee and Dudley Rice, noting that the money collected will be donated to the Fox Chase Cancer Center for cancer research and to the NHS High School for scholarships. Mr. Searing expressed his thanks to the advertisers, sponsors and volunteers, adding how much fun the annual road rally was that's held every July as a lead up to the Auto Show.
- Mr. Cosdon echoed Mr. Searing's comments related to the P&R Committee.
- Mr. Barrett made a statement inviting and encouraging the public to attend the upcoming 2017 Budget sessions citing that their involvement and participation is very important to the Board. He encouraged Solebury citizens and taxpayers to attend the meetings noting that additional details regarding the budget meetings can be found on the Township's website. The next budget meetings are scheduled for September 6th, October 4<sup>th</sup> and November 1<sup>st</sup> at 7:00 p.m.

Public Comment – No early public comment was offered.

#### OLD BUSINESS

New Hope Crushed Stone Quarry Update – Mr. Morrissey updated the Board and audience on this topic noting that the Township Supervisor's subcommittee consisting of Ms. Tai and Mr. Morrissey had a conference call during the week of August 7<sup>th</sup> with John Stefanko, Executive Deputy Secretary for Programs & Cosmo Servidio Southeast Regional Director.

The topic of the conference call was to confirm DEP's Acting Secretary McDonnell's commitment to enforce the following:

- a. A 500k gallon per day pumping limit;
- b. As of January 2016, NHCS has 3.12 years to complete the reclamation and restoration of Primrose Creek and the quarry;
- c. Confirm that Acting DEP Secretary McDonnell continues to be committed to the reclamation and restoration goals that have been established.

The Township continues to have monthly communication meetings involving DEP/Mining, DEP Executive Officers, the Primrose Creek Watershed Association and Solebury School.

Last week DEP issued a GP-104 Permit to NHCS which will enable the quarry to make significant restoration efforts on the Primrose Creek as agreed upon through the 2014 Settlement Agreement between Primrose Creek Watershed Association, DEP and NHCS.

DEP continues to update its public website with communications including progress made in the restoration and reclamation process. Solebury Township will be sending out the link via email as well as providing it on the Township's website.

Mr. Morrissey advised that the annual DEP/Community meeting will be held on Monday, September 19<sup>th</sup> from 10:30 to 12:00 noon at the Township Municipal Building.

Mr. Cosdon commented that there is a Quarry Committee that meets annually to discuss NHCS and that there is presently one opening on the committee. He invited anyone interested in joining the committee who lives in the Primrose Creek Watershed area to contact the Township Administration.

#### NEW BUSINESS

Leydon Easement Amendment – Land Preservation Counsel Terry Clemons presented an overview of the proposed Amended and Restated Conservation Easement and answered questions posed by the Board regarding the functionality of the proposed solar equipment and the area involved for its placement on the property.

**Res. 2016-110 – Upon a motion by Mr. Searing, seconded by Mr. Morrissey, it was unanimously agreed to authorize the appropriate Township officials to execute the Amended and Restated Conservation Easement on property owned by Edward R. Leydon and Alexandra P. Leydon, involving Tax Parcel Nos. 41-28-5-5; 41-28-5-6 and 41-29-5-1, as proposed.**

HARB – Hotel DuVillage- The application submitted and reviewed by HARB contained a narrative identifying multiple items for consideration, resulting in seven separate motions. Four motions recommended issuance of a CoA; one motion directed the applicant to return to HARB with additional information; one motion was to deny a CoA and one motion was not to consider the items as it was felt by HARB that it was not within HARB's purview. A copy of applicant's narrative and recommendations from HARB are attached to these Minutes.

Following discussion and comment, the following actions were taken.

**Res. 2016-111 – Upon a motion by Mr. Barrett, seconded by Mr. Cosdon, it was unanimously agreed to issue a Certificate of Appropriateness to TMP #41-028-020-002 to build a rustic arbor on top of the existing stone column entrance to the outdoor patio (Item #1 of narrative submitted with application). The posts will be 1' x 1' and the maximum overall height is not to exceed 12'. Issuance of this Certificate of Appropriateness does not relieve the applicant from obtaining any and all applicable permits.**

**Res. 2016-112 – Upon a motion by Mr. Searing, seconded by Ms. Tai, it was unanimously agreed to issue a Certificate of Appropriateness to TMP #41-018-020-002 to build a ceremonial arbor over the top of the existing platform and not to exceed the dimensions of the platform with the design to match the photo with the exception of excluding benches (Item #2 of narrative submitted with application). Issuance of this Certificate of Appropriateness does not relieve the applicant from obtaining any and all applicable permits.**

**Res. 2016-113 – Upon a motion by Mr. Searing, seconded by Mr. Morrissey, it was unanimously agreed to issue a Certificate of Appropriateness to TMP #41-028-020-002 to install fencing surrounding the chef's garden to be galvanized turkey wire and the top and bottom rails to be 1" x 6", pressure treated wood that will be stained and/or painted mahogany in color (Item #4 of narrative submitted with application). Issuance of this Certificate of Appropriateness does not relieve the applicant from obtaining any and all applicable permits.**

**Res. 2016-114 – Upon a motion by Mr. Searing, seconded by Mr. Barrett, it was unanimously agreed to continue and refer back to HARB Item #7 of the narrative submitted with the application for a Certificate of Appropriateness for TMP #41-028-020-002 for the installation of new fencing along River Road from the southern edge of the property lien to the gravel parking cul-de-sac for the house. It was felt that additional information on the proposed fencing and landscaping trees should be provided by the applicant for clarification.**

**Res. 2016-115 – Upon a motion by Mr. Searing, seconded by Mr. Barrett, it was agreed to deny the issuance of a Certificate of Appropriateness to TMP #41-028-020-002 for the fire pit (Item #5 of narrative submitted with application) that would be located on the open field on the south side of the house along River Road. It was felt that the scale of the fire pit and the addition of another fire pit on the property would not be appropriate for the historic district.**

**In Favor: Ms. Tai, Mr. Searing, Mr. Cosdon and Mr. Morrissey**

**Opposed: Mr. Barrett**

**Res. 2016-116 – Upon a motion by Mr. Cosdon, seconded by Mr. Morrissey, it was unanimously agreed to deny the issuance of a Certificate of Appropriateness to TMP #41-028-020-002 to install a water table (Item #6 of narrative submitted with application) due to it not being appropriate to the historic district.**

**Police Department – Disposal of vehicle – The administration requested authorization to dispose of a 2010 Ford Explorer police vehicle via Municibid.**

**Res. 2016-117 – Upon a motion by Mr. Cosdon, seconded by Mr. Barrett, it was unanimously agreed to authorize the Township administration to dispose of a 2010 Ford Explorer VIN #1FMEU7D80AUA55279 by Municibid as requested.**

**Public Works Department – Disposal of Shoulder Machine – The administration requested authorization to dispose of a hydraulically powered shoulder machine via Municibid. The public works department no longer uses this equipment.**

**Res. 2016-118 – Upon a motion by Mr. Barrett, seconded by Mr. Cosdon, it was unanimously agreed to authorize the Township administration to dispose of the hydraulically powered shoulder machine by Municibid as requested.**

**Budget Amendment – In accordance with the Second Class Township Code, Section 3202(f), the Township administration recommends that the Board approve two budget amendments summarized as follows:**

- a. Increase the General Fund revenues by \$100,000 and increase expenses by \$42,500; net result is a \$57,500 increase to the General Fund Reserve Balance;**
- b. Increase Roads & Bridges expenses by \$215,000 thereby decreasing the Roads & Bridges Fund Balance by the same amount.**

**Res. 2016-119 – Upon a motion by Ms. Tai, seconded by Mr. Cosdon, it was unanimously agreed to approve budget amendments to the 2016 Budget as follows:**

- c. **Increase the General Fund revenues by \$100,000 and increase expenses by \$42,500; net result is a \$57,500 increase to the General Fund Reserve Balance;**
- d. **Increase Roads & Bridges expenses by \$215,000 thereby decreasing the Roads & Bridges Fund Balance by the same amount.**

Subdivisions/Land Developments/Conditional Uses – No applications were reviewed.

Public Comment

- Sheila Elser of 5 Towpath Way, Canal Walk, addressed the Board concerning ownership of West End Farm.

Adjournment

**Res. 2016-120 – Upon a motion by Mr. Cosdon, seconded by Mr. Morrissey, the meeting adjourned at 9:10 p.m.**

Respectfully submitted,  
Dennis H. Carney  
Township Manager

Solebury – Certificate of Appropriateness Application – 06-30-16  
Applicant – 2535 River Road LLC  
Hotel du Village – 7092 Phillips Mill Road  
Tax Parcel # - 41-28-20-02

**1) Do you contemplate the demolition of any or all of a structure? If so, provided an explanation if what is being removed, why is it being removed and why is there no alternative other than demolition.**

We will not be demolishing or removing any structures at all on the subject property.

**2) Please provide a detailed description of all exterior work at the building and project site.**

1. Rustic Arbor – A new arbor is proposed on top of stone column entrance to outdoor patio area located on the south side of the restaurant building. The arbor will be made of pressure treated wood with a cherry stain finish. There will be 4 wooden posts on top of the stone caps. The posts will be 1' x 1'. The beams on top of the posts will measure 2 x 12 with 1' spacing and will cross hatch over each other.
2. Ceremonial Arbor – A new arbor will be located on the ceremonial area. The arbor will be pressure treated wood painted white. There will be 2 wooden beams across wooden slats above. The dimensions will be 72" width x 85" high.
3. Chefs Garden – **(Interpretation if HARB approval is required)** A new chefs garden is to be located on the south side of the house along River Road. The garden will measure 60' x 60' and be 8 planted beds measuring 8' x 16' each. There will be no raised beds.
4. Fencing Surrounding Garden – Surrounding the garden will be a fence. The fence will be made of pressure treated dark mahogany. The posts will be 5' high and 8' wide. In between posts will be chicken wire.
5. Fire Pit - A new fire pit will be located on the open field on the south side of the house along River Road. Fire pit will be made of concrete and be 10' long by 5' wide and 2' high. The fire pit will match the existing fire pits on property.
6. Water Table – The proposed water table will be located on the open field on the south side of the house along River Road. The water table has a concrete base with a marble top. The measurements will be 13' long by 4' wide.
7. Fence – New fencing will be along River Road from the southern edge of the property line to the gravel parking cul de sac for the house along River Road. The fence will be in front of the existing hedge. The fence will be a grey metal with 4

split rails in between posts. There will be a triangular shaped brace in between the rails. The rails will be 8' wide in length and 4' high.

8. Landscaping — We will be planting evergreen shade trees along River Road from the edge of property line to gravel cul de sac of the house. The trees will 3' high.
9. Hotel Windows - On a needed basis we would like replace front windows in the hotel building. Replacement windows will match what exists in color, dimensions and panes.

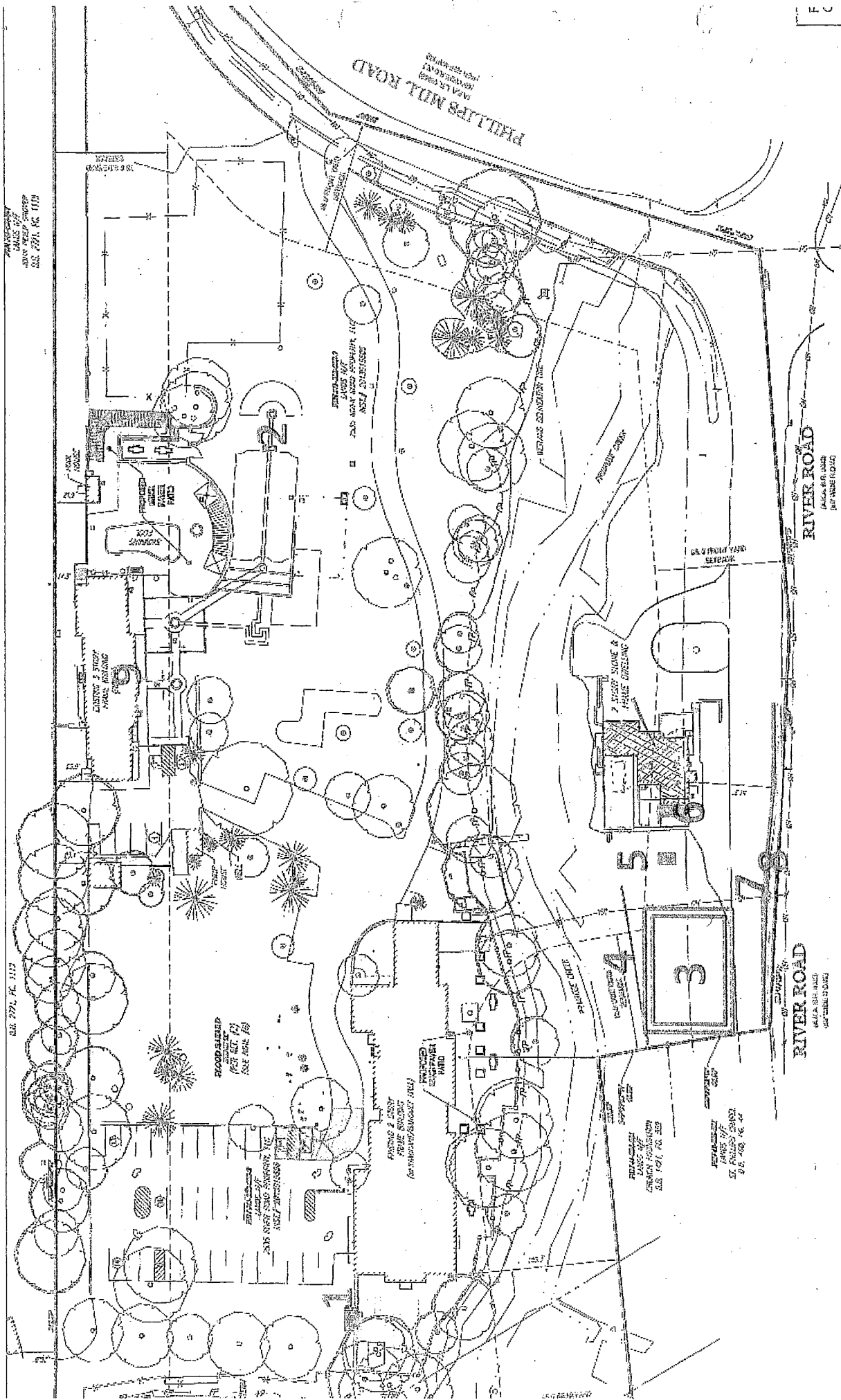
**3) What steps will be taken as part of the scope of this work to preserve your building's historic character and that of the surrounding district.**

We have researched the history of the subject property in Solebury Library and have talked to numerous individuals with knowledge of the subject property. We reviewed building permits to determine the building history.

The construction will comply with all the requirements of the design guidelines of Solebury Township and all materials will duplicate to blend in to the existing buildings to complement and add to the historic character of the surrounding district.

**4) Is there any other information that the HARB should take into consideration regarding the application?**

2535 River Road LLC, owned, rehabilitated, restored and operated the Hotel du Village for over 4 years. Our focus on restoration and historic guidelines is evident in the finished construction of the properties.



- 1) Rustic Arbor
- 2) Colonial Arbor
- 3) Chefs Garden
- 4) Garden Fence
- 5) Fire Pit
- 6) Water Table
- 7) Fence
- 8) Landscaping
- 9) Hotel Windows



**HISTORICAL ARCHITECTURAL REVIEW BOARD  
01AUGUST2016 MEETING MINUTES**

In attendance was Larry Peseski (Chair), Nancy Ruddie (Vice Chair), Marnie Newman, Scott Minnucci, Patrick Pastella, Mark Baum Baicker, Christine Terranova (HARB Administrator), Matthew Wojaczyk (Building Official) and Noel Barrett (Liaison).

**A. Action on 2535 River Road, LLC (Hotel du Village location)  
7092 Phillips Mill Road, New Hope, PA  
(Phillips Mill Historic District)  
HARB Plan Number 2016-07-G**

Upon a Motion by Nancy Ruddie, seconded by Larry Peseski, it was agreed to recommend issuance of a Certificate of Appropriateness to TMP#41-028-020-002 according to the submitted narrative with the application proposing to build a rustic arbor (Item #1) on top of the existing stone column entrance to the outdoor patio. The posts will be 1' x 1' and the maximum overall height is not to exceed 12'.

It was agreed to recommend issuance of a Certificate of Appropriateness to build a ceremonial arbor (Item #2) over the top of the existing platform and is not to exceed the dimensions of the platform, with the design to match the photo with the exception of no benches.

**In Favor – 5 members – Patrick Pastella, Scott Minnucci, Mark Baum Baicker, Nancy Ruddie and Larry Peseski**

**Opposed – 1 member – Marnie Newman – due to not enough information**

**MOTION APPROVED**

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Upon a Motion by Nancy Ruddie, seconded by Patrick Pastella, it was unanimously agreed to remove approval of the Chef's Garden (Item #3) due to not being within HARB's purview.

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Upon a Motion by Nancy Ruddie, seconded by Patrick Pastella, it was agreed to recommend issuance of a Certificate of Appropriateness to TMP#41-028-020-002 to install fencing surrounding the proposed garden (Item #4) that will be galvanized, turkey wire and the top and bottom rails to be 1" x 6".

In Favor – Patrick Pastella, Marnie Newman, Mark Baum Baicker and Nancy Ruddle

Opposed – Scott Minnucci and Larry Peseski

MOTION APPROVED

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Upon a Motion by Nancy Ruddle, seconded by Patrick Pastella, it was agreed to recommend issuance of a Certificate of Appropriateness to TMP#41-028-020-002 to install new fencing (Item #7) along River Road from the southern edge of the property line to the gravel parking cul de sac for the house. The fencing will be made with pressure treated wood and the posts will be 6 x 6. The landscaping (Item #8) will be evergreens and not trees.

In Favor – 4 members – Patrick Pastella, Marnie Newman, Mark Baum Baicker and Nancy Ruddle

Opposed – 2 members – Scott Minnucci and Larry Peseski

MOTION APPROVED

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Upon a Motion by Nancy Ruddle, seconded by Patrick Pastella, it was agreed to recommend issuance of a Certificate of Appropriateness to TMP#41-028-020-002 for approval of a fire pit (Item #5) that will be located on the open field on the south side of the house along River Road. The fire pit will be made of concrete and be 10' long by 5' wide and 2' high and match the existing fire pits on the property.

In Favor – Patrick Pastella, Scott Minnucci, Marnie Newman and Mark Baum Baicker

Opposed – 2 members – Larry Peseski and Nancy Ruddle. Ms. Ruddle felt that the fire pit was inappropriate and not of a historic nature.

MOTION APPROVED

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Upon a Motion by Nancy Ruddle, seconded by Patrick Pastella, it was agreed to recommend issuance of a Certificate of Appropriateness to TMP#41-028-020-002 to install a water table (Item #6) located on the open field on the south side of the house along River Road. The water table has a concrete base with a marble top with the measurement of 13' long by 4' wide.

In Favor – Scott Minnucci, Mark Baum Baicker

Opposed – Patrick Pastella, Marnie Newman, Nancy Ruddie and Larry Peseski  
(Members felt it would be inappropriate and not of a historic nature.)

**MOTION DENIED**

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Upon a Motion by Nancy Ruddie, seconded by Patrick Pastella, it was unanimously agreed to continue the proposal to replace front windows in the hotel building (Item #9), and that the applicant will return at a later date with additional information to support his proposal.