

SOLEBURY TOWNSHIP BOARD OF SUPERVISORS

July 19, 2022 – 6:00 P.M.

Hybrid Meeting

MEETING MINUTES

Attendance: Mark Baum Baicker, Chair, John S. Francis, Vice-Chair, Hanna Howe, Robert McEwan, Kevin Morrissey, Christopher Garges, Township Manager, Michele Blood, Assistant Manager, and Catherine Cataldi, Secretary. Mark L. Freed, Township Solicitor and Curtis Genner, Township Engineer were also in attendance.

The recording device was turned on.

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

Mr. Baum Baicker announced a change in the public comment policy for the Board of Supervisors' meetings. Public Comment is to be held at the conclusion of Township business.

II. Approval of Bills Payable – June 23, 2022 and July 7, 2022

Res.2022-93 – Upon a motion by Mr. McEwan, seconded by Mr. Francis, the list of Bills Payable dated June 23, 2022 and July 7, 2022 was unanimously approved as prepared and posted.

III. Approval of Meeting Minutes – May 19, 2022 Meeting

Res.2022-94 – Upon a motion by Ms. Howe, seconded by Mr. McEwan, the Minutes of the May 19, 2022 Meeting were unanimously approved as prepared and posted.

IV. Announcements/Resignations/Appointments

Executive Session

The Board announced the Executive Session held July 19, 2022 prior to the meeting dealing with Land Preservation and Legal Matters.

V. Supervisor Comment

- Molgat Zoning Hearing Board Decision Appeal – Solicitor to Participate in Appeal

Res.2022-95 – Upon a motion by Mr. Baum Baicker, seconded by Mr. Francis, it was unanimously agreed to add this topic to the agenda.

Res.2022-96 – Upon a motion by Mr. Baum Baicker, seconded by Mr. McEwan, it was unanimously agreed to support the Molgat Zoning Hearing Board decision and authorized the Solicitor to attend and participate in the appeal proceedings.

- Mr. Baum Baicker and Mr. Morrissey recognized the passing of Solebury resident Thomas Mancini.
- Mr. McEwan commented on the suggestion of lower permit fees for sustainable energy projects. A formal recommendation is to be presented at the August Board of Supervisors' meeting.

- Perlsweig Zoning Hearing Board Decision Appeal – Solicitor to Participate in Appeal

Res.2022-97 – Upon a motion by Mr. Baum Baicker, seconded by Mr. Morrissey, it was unanimously agreed to add this topic to the agenda.

Mr. Freed announced that the appeal was a third-party appeal.

Res.2022-98 – Upon a motion by Mr. Baum Baicker, seconded by Mr. Morrissey, it was unanimously agreed to support the Perlsweig Zoning Hearing Board decision and authorized the Solicitor to attend and participate in the appeal proceedings.

- Mr. Francis commented on the Township’s initiatives to mitigate climate change. The initial draft of the Energy Transition Plan has been submitted to the committees for feedback. Once feedback is received the Energy Transition Plan will be presented to the Board for approval. Mr. Francis read a proposal for a Sustainability and Climate Action Committee. Additional discussion is to occur regarding the proposal and goals for developing a committee.

VI. Public Hearing

Historical Architectural Review Board – Certificate of Appropriateness – Bryan Parola (3741 Aquetong Road, TMP # 41-004-033)

Upon a motion by CL Lindsay, seconded by Marnie Newman, it was (unanimously) agreed to recommend issuance of a Certificate of Appropriateness to TMP# 41-004-033 as follows:

1. *Work is to be completed based on the proposed application with a modification of the standing seams for the roof to be changed from an inch and a half to one inch.*
2. *The standing seam metal roof will be in the color Hemlock Green. The asphalt shingles will be in the color Charcoal.*
3. *The pan width should not exceed 17 inches. The standing seams for the roof should be one inch.*
4. *The asphalt shingles will be replaced on the peaked roof, or the main roof. The standing seam metal roof will replace the asphalt shingles that are currently on the patio overhang near the rear side of property. The rubber roof that is on the front of the property will be unaltered.*

Res.2022-99 – Upon a motion by Mr. Baum Baicker, seconded my Mr. McEwan, it was unanimously agreed to issue a Certificate of Appropriateness to TMP # 41-004-033, 3741 Aquetong Road as recommended by the Historical Architectural Review Board. Issuance of the Certificate of Appropriateness does not relieve the applicant from obtaining any and all applicable permits prior to commencement of work.

Short Term Lodging (Airbnb) Ordinance Amendment – Authorization to Adopt

Mr. Freed gave an overview of the ordinance (copy of which is attached).

Mr. Morrissey thanked Mr. Freed for working with Township staff on the amendment to the short-term lodging ordinance. Mr. Morrissey expressed interest in the additional noise from short term lodging facilities to be addressed.

Joseph Varone, resident, questioned how the Township plans to check the facility is a primary residence. Mr. Varone commented on the criminal activities at Airbnb properties being reported and questioned if the Township can be sued for any criminal activity that takes place at a short-term lodging facility in Solebury. He commented on the number of short-term lodging facilities in Solebury and suggested a thirty (30) day maximum for rental. Mr. Freed advised that the Township is to continue to evaluate the ordinance and address any additional issues. Mr. Freed explained the problems that occur when the Township tries to prevent lawful use at a residence.

Mr. Varone commented on there being no limit of people only a limit of rooms in the ordinance and questioned who is to monitor the regulations. Mr. Freed commented on the owner's requirements for a conditional use and advised that monitoring of short-term lodging facilities is done by the Township and the residents.

Res.2022-100 – Upon a motion by Mr. Morrissey, seconded by Mr. McEwan, it was unanimously agreed to adopt AN ORDINANCE OF THE TOWNSHIP OF SOLEBURY, BUCKS COUNTY, PENNSYLVANIA, AMENDING THE SOLEBURY TOWNSHIP ZONING ORDINANCE REGARDING SHORT-TERM LODGING FACILITIES.

VII. Subdivision/Conditional Use/Land Development

Carversville Inn Land Co. – Preliminary/Final Land Development (6205 Fleecy Dale Road, TMP # 41-004-010)

The applicant proposes to change the current use of a first-floor restaurant with (4) residential rental apartments back to a country inn with first floor 65-seat restaurant and no more than (8) inn rooms on the second and third floors, along with a 626 S.F. addition.

Robert W. Gundlach, Jr., Esq., Milan Lint and Scott McMackin were present.

Mr. Freed opened the topic with an overview and commented on a memorandum received prior to the meeting from the attorney's off. That memorandum was not included in the approval. The specifics of the approval, and any additional requirements, are to be included in the letter of decision to be issued by the Township or Solicitor's Office.

Mr. Morrissey, Mr. Francis and Mr. Baum Baicker expressed support for the Carversville Inn project.

Marnie Newman, resident, generally supported the Inn but also expressed concerns about potential negative impacts on the village of Carversville.

Stanley Plotkin, resident, expressed support for the project.

Noel Barrett, resident, expressed support for the project.

Res.2022-101 – Upon a motion by Mr. Baum Baicker, seconded by Mr. Francis, it was unanimously agreed to grant conditional approval of the Preliminary/Final Land Development Plan subject to the following:

- **Approval of all waivers/modifications set forth in the November 12, 2021 list of waivers, last revised July 18, 2022.**
- **Approval is conditioned on resolution of all outstanding comments and recommendations indicated in Wynn Associates memorandum dated July 11, 2022, as well as all comments and recommendations reference therein – including the requirement that the lighting plan be revised/submitted prior to plan recordation to demonstrate compliance with SLDO/Zoning Ordinance requirements.**

VIII. Presentations

Solebury Township Committees & Boards 2022 Priorities – Presentation by Chairpersons

- Parks & Recreation (P&R) – Presented by Dan Dupont

Highlighted areas of the presentation include: the installation of the electronic scoreboard at Laurel Park softball field, T Ball and Minor League fields have been redone, goals: to focus on planning and expansion development of trails; additional recreational activities for seniors and residents whom require ADA accessibility; and to continue to support and advertise the existing activities and facilities to encourage community physical and mental health, continue development and use of Aquetong Spring Park, collect feedback from sports programs, youth camp and pickleball courts.

- Land Preservation Committee (LPC) – Presented by Edric Mason
Highlighted areas of the presentation include five LPC priority items: improvements to the Township website, training of new members, working with several properties (from preliminary negotiation to closing), continue outreach and awareness program, supplementing township funding sources by contacting and working with other agencies.
- Planning Commission (PC) – Presented by TJ Francisco
Highlighted areas of the presentation include: burn ordinance; short-term lodging ordinance; well ordinance; sign ordinance; hoping to see outputs from solar panel studies, amendments to the omnibus, zoning and subdivision and land development ordinances, zoning officer and building official ordinance, addressed several applications and Hurricane Ida stormwater management was discussed. Goals going forward: continue outreach and awareness, the Alternative Energy ordinance and working with the Environmental Advisory Council on an Energy Transition Plan.
- Environmental Advisory Council (EAC) – Presented by Eric Allen
Highlighted areas of the presentation include: An Overview of the work EAC does, single-use plastic bag ban, Bird Towns, Tree City, Arbor Day, Primrose Creek Watershed, Ready for 100, Public Online Presentation, deer management and sustainability initiative with PC.
- Historical Architectural Review Board (HARB) – Presented by Larry Peseski
Highlighted areas of the presentation include: several applications, new guidelines to be submitted to the Supervisors in the near future, working on a virtual archive for members to access old applications, expand commercial guidelines, recruit an Architect and develop a minimum maintenance standard in the Historic District.

The Board thanked the Committee Chairs for their presentations.

IX. New Business

Bid Award - Fuel Bids

Bids for fuel have been received by the Bucks County Consortium and reviewed by Solebury Township Administration.

Res.2022-102 – Upon a motion by Mr. Baum Baicker, seconded by Mr. McEwan, it was unanimously agreed to award the bid for Premium Unleaded Gasoline and Ultra Low Sulfur Diesel Fuel to Riggins, Inc, as reflected in their respective bids submitted to the Bucks County Consortium.

Sustainability Initiative Executive Summary

Mr. Morrissey opened the topic with a background of the work done by the Planning Commission.

TJ Francisco, Planning Commission Chair presented the Sustainability Initiative Executive Summary to the Board (copy of which is attached). Highlights of this presentation include: a summary, priorities recap, conclusion and Planning Commission (PC) request.

The Planning Commission request is for the inclusion of a consultant in the 2023 Budget to assist both the Planning Commission, and the EAC in the following areas (the list below will make up the scope of work of the “consultant”):

- *Finalize incentive recommendations for the PC’s Alternative Energy Ordinance*
- *Develop a charter for the Solebury Township’s future Sustainability Committee*
- *Develop, with PC and EAC support, a sustainability plan to be managed by the future Sustainability Committee*
- *Review and interpret DVRPC data relative to energy usage and its impact on the Energy Transition Plan and Sustainability Plan, (both documents will be annexed to the 2024 Comprehensive Plan update)*
- *Review the SALDO and make recommendations for other areas of improvement and consistency*
- *Develop a community outreach program to assist the Township in educating residents of the sustainability initiative and any program incentives that may be available for household conversion & improvements that lessen carbon consumption*
- *Support the EAC in finalization of the Energy Transition Plan including:*
 - *Take DVRPC and other carbon data to the next level of analysis, including the identification of carbon metrics to plan and track Solebury’s transition off of carbon-based fuels*
 - *Develop a stakeholder interface strategy that creates the backbone of the township’s energy transition*
 - *Incorporate green technology transition planning beyond solar installations, including but not limited to conventional heat pumps, geothermal, wind, and emerging technologies*

Mr. Francis expressed support for the PC request. Mr. Francis questioned whether the consultant should be a third-party or Township employee.

Mr. McEwan commented on the incentive recommendations for the Alternative Energy Ordinance. Mr. McEwan expressed support for a budget line item for a consultant, as well as, the inclusion of help from Township employees.

Mr. Morrissey expressed support for the inclusion of the budget line item.

Ms. Howe expressed gratitude for the long-term planning and the thought for affordability.

Nancy Ruddle, resident, questioned if the Township has looked into other Township’s that implemented the Alternative Energy Ordinance to use as a guide. Ms. Ruddle commented on the government incentives already in place and suggested the Township develop a tax incentive. Mr. Francis commented on the multiple local Townships working together on this topic.

Amendment to the Stormwater Management Ordinance – Authorization to Advertise

Mr. Genner gave an overview of the amendments to the Stormwater Management Ordinance.

Res.2022-103 – Upon a motion by Mr. McEwan, seconded by Mr. Francis, it was unanimously agreed to advertise the amendment to the Stormwater Management Ordinance.

Resolution Regarding the NJDOT Devils Tea Table Rockfall Mitigation Project

A RESOLUTION (copy of which is attached) OF THE BOARD OF SUPERVISORS OF SOLEBURY TOWNSHIP, BUCKS COUNTY, PA. REGARDING THE NJDOT, DEVIL'S TEA TABLE ROCKFALL MITIGATION PROJECT CONCERNS.

Res.2022-104 – Upon a motion by Mr. McEwan, seconded by Mr. Baum Baicker, it was unanimously agreed to approve the resolution regarding the NJDOT, Devils Tea Table Rockfall Mitigation Project concerns.

Approval of Fee Change for Approved 2022 Towing Consultant

New Hope Towing & Recovery notified the Township of a rate increase effective July 1, 2022.

Res.2022-105 – Upon a motion by Mr. Baum Baicker, seconded by Mr. Francis, it was unanimously agreed to approve the New Hope Towing & Recovery rate increase (copy of which is attached).

Proposed Sale of Bucks County Water and Sewer Authority to Aqua Pennsylvania

The Township has been notified of the Bucks County Water and Sewer Authority's proposal to sell their wastewater operations to Aqua Pennsylvania.

X. Public Comment

- Barbara Zietchick, resident, commented on the unsatisfactory work being done in Fox Run Preserve by Verizon.
- Helen Tai, resident, asked what action the Board took regarding the Molgat Zoning Hearing Board decision appeal.

XI. Adjournment

The meeting was adjourned at 8:01 p.m.

Respectfully submitted,
Catherine Cataldi
Secretary

ORDINANCE NO. 2022-004

**AN ORDINANCE OF THE TOWNSHIP OF SOLEBURY,
BUCKS COUNTY, PENNSYLVANIA, AMENDING THE
SOLEBURY TOWNSHIP ZONING ORDINANCE
REGARDING SHORT-TERM LODGING FACILITIES**

WHEREAS, Section 1516 (53 P.S. Section 66516) of the Pennsylvania Second Class Township Code provides that the corporate powers of the Board of Supervisors of Solebury Township (the "Board of Supervisors") include the ability to plan for the development of the Township through Zoning, Subdivision, and Land Development Regulations under the Act of July 13, 1968 (P.L. 805, No. 247), known as the "Pennsylvania Municipalities Planning Code";

WHEREAS, Section 1601 of the Second Class Township Code provides that the Board of Supervisors may adopt Ordinances in which general or specific powers of the Township may be exercised, and, by the enactment of subsequent Ordinances, the Board of Supervisors may amend, repeal, or revise existing Ordinances (53 P.S. Section 66601);

WHEREAS, the proposed amendments are geared toward fulfilling the Township's obligations under Article I, Section 27 of the Pennsylvania Constitution, and of protecting the public health, safety, and welfare of Township citizens; and

WHEREAS, the proposed amendments have been advertised, considered, and reviewed in accordance with Municipalities Planning Code Section 609 (53 P.S. Section 10609);

NOW THEREFORE, in consideration of the foregoing, be it **ENACTED** and **ORDAINED** by the Board of Supervisors of Solebury Township, Bucks County, Pennsylvania, as follows:

I. Chapter 27 of the Township Code of Ordinances is hereby **AMENDED** as follows:

A. AMEND Section 27-202 of the Zoning Ordinance as follows:

1. STRIKE the term and definition of "Bed-and-Breakfast Inn/Small Short-Term Lodging Facility" and **REPLACE** it with the following:

BED-AND-BREAKFAST INN/SMALL SHORT-TERM LODGING FACILITY
A building in which more than one and no more than six guest rooms are commercially offered and/or used for the temporary lodging of transient guests. Temporary lodging of transient guests means a total stay of less than 30 consecutive days. Where the Township's land use ordinances use only the term "bed-and-breakfast inn," the term shall be deemed to also include a small short-term lodging facility. The term "commercial," for the purposes of this definition, shall mean that a monetary fee is charged and/or received for utilizing a guest room.

2. STRIKE the term and definition of "Hotel, Motel, or Inn/Large Short Term Lodging Facility" and **REPLACE** it with the following:

HOTEL, MOTEL, OR INN/LARGE SHORT-TERM LODGING FACILITY

A building or group of buildings utilizing seven or more guest rooms that are commercially offered and/or used for the temporary lodging of transient guests. Temporary lodging of transient guests means a total stay of less than 30 consecutive days. The term "commercial," for the purposes of this definition, shall mean that a monetary fee is charged and/or received for utilizing a guest room.

3. **ADD** the term and definition of "Primary Residence" as follows:

PRIMARY RESIDENCE

The dwelling where one or more owners of the property maintain their permanent place of abode and spend the majority of the calendar year. A person may have only one primary residence at any one time. If the owner of the property is a corporation, partnership, limited liability company, limited liability partnership, trust or other entity, a shareholder, partner, trustee or other owner of the entity will be considered an owner for the purpose of this definition.

B. AMEND Section 27-702 of the Zoning Ordinance as follows:

1. **ADD** the words "primary residence" to 27-702.C.(3) so that it reads: "Bed-and-breakfast inn/small short-term lodging facility (accessory to only single-family detached dwellings used as a primary residence, or agriculture; accessory uses must still comply with the principal use standards in § 27-2602, Subsection 100)."

C. AMEND Section 27-902 of the Zoning Ordinance as follows:

1. **ADD** the words "primary residence" to 27-902.C.(3) so that it reads: "Bed-and-breakfast inn/small short-term lodging facility (accessory to only single-family detached dwellings used as a primary residence, or agriculture; accessory uses must still comply with the principal use standards in § 27-2602, Subsection 100)."

D. AMEND Section 27-1202 of the Zoning Ordinance as follows:

1. **ADD** the words "primary residence" to 27-1202.C.(5) so that it reads: "Bed-and-breakfast inn/small short-term lodging facility (accessory to only single-family detached dwellings used as a primary residence, or agriculture; accessory uses must still comply with the principal use standards in § 27-2602, Subsection 100)."

E. AMEND Section 27-1302 of the Zoning Ordinance as follows:

1. **ADD** the words "primary residence" to 27-1302.C.(6) so that it reads: "Bed-and-breakfast inn/small short-term lodging facility (accessory to only single-family detached dwellings used as a primary residence, or agriculture; accessory uses must still comply with the principal use standards in § 27-2602, Subsection 100)."

F. AMEND Section 27-1402 of the Zoning Ordinance as follows:

1. **ADD** the words “primary residence” to 27-1402.C.(2) so that it reads: “Bed-and-breakfast inn/small short-term lodging facility (accessory to only single-family detached dwellings used as a primary residence, or agriculture; accessory uses must still comply with the principal use standards in § 27-2602, Subsection 100).”

G. AMEND Section 27-2602 of the Zoning Ordinance as follows:

1. Add Section 27-2602.OO(10) as follows:

Guests at a Bed-and-Breakfast Inn/Small Short-Term Lodging Facility shall be subject to requirements of the Township Code of Ordinances, including but not limited to Chapter 10, Part 2 (Excessive Noise and Other Nuisances); Section 27-2512 (Environmental Controls).

H. AMEND Section 27-2602 of the Zoning Ordinance as follows:

1. Add Section 27-2602.PP(8) as follows:

Guests at a Hotel, Motel, or Inn/Large Short-Term Lodging Facility shall be subject to requirements of the Township Code of Ordinances, including but not limited to Chapter 10, Part 2 (Excessive Noise and Other Nuisances); Section 27-2512 (Environmental Controls).

II. Partial Repealer

All other provisions of the Ordinances of Solebury Township, as amended, shall remain in full force and effect. All other Ordinances or provisions of the Ordinance inconsistent herewith or in conflict with any of the terms hereof are, to the extent of said inconsistencies or conflicts, hereby specifically repealed.

III. Severability

The provisions of this Ordinance are severable. If any section, clause, sentence, part or provision thereof shall be held illegal, invalid, or unconstitutional by a court of competent jurisdiction, such decision of the court shall not affect or impair any of the remaining sections, clauses, sentences, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Board of Supervisors that this Ordinance would have been adopted if such illegal, invalid, or unconstitutional section, clause, sentence or part of a provision had not been included herein.

IV. Effective Date

All provisions of this Ordinance shall be in full force and effect five (5) days after the approval and adoption.

ORDAINED AND ENACTED this 19 day of July, 2022.



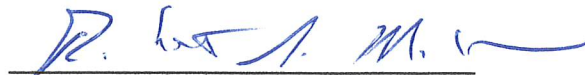
Mark Baum Baicker, Chair



John Francis, Vice-Chair




Kevin Morrissey, Member



Robert McEwan, Member

Hannah Howe, Member

Attest:



Catherine Cataldi, Township Secretary

Planning Commission Sustainability Initiative Update

Executive Summary Update for Board of Supervisors

July 11, 2022

Summary:

The 2014 Solebury Township Comprehensive Plan emphasizes the benefits of sustainable practices in planning, development, and township management. In general, sustainable practices seek to balance social, environmental, and economic considerations such that current practices and use of resources does not adversely impact future generations of residents. The PC kicked off the “sustainability initiative” in early 2020 and presented a series of priorities to the BOS in August 2020, where a request was made to hire a consultant to support the PC (and the BOS, Township Manager and EAC) through the various priorities outlined at the time. For a variety of reasons, all parties agreed to pursue the initiative with support from the township solicitor & township engineer, which has helped make substantial progress in the interim. The status of the specific priorities from the August 2020 presentation are outlined in the tables below. The PC is taking this moment in time to status past efforts and re-focus future efforts in planning, raising resident awareness, and overall execution of our sustainability priorities in the upcoming years. This is especially timely in that the Solebury Township Comprehensive Plan update is due to begin in 2024. It is important to note that this document and the requests made in the conclusion of this document have the endorsement of both the Planning Commission (PC) and the Environmental Advisory Committee (EAC).

Priorities (Recap)

2020:

| Priority | Status | Comments |
|---|----------|---|
| Complete the American Planning Association (APA) sustainability matrix with Planning Commission input; deliberate responses to identify what trend Solebury is on in the context of the matrix and begin to prioritize actions to improve the consideration of sustainability in township practices and planning. | Achieved | Completed with PC input; discussions also held with Solicitor and Township Engineer |
| Identify near-term activities to improve Solebury’s APA sustainability achievement score. The preliminary scoring of Solebury’s sustainability practices indicate the township falls short of a designated, silver or gold level of achievement under the APA matrix. However, review of the preliminary scoring indicates that there are many low hanging fruit with | Achieved | Township Manager and staff submitted an application through the program “Sustainable PA”; the application approved Solebury with a platinum designation; Improvements in the APA matrix are still being pursued by the PC |

Planning Commission Sustainability Initiative

Executive Summary for Board of Supervisors

July 11, 2022

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| <p>regard to improvements that can readily move the township into a designated level of achievement. For example:</p> <ul style="list-style-type: none"> ○ Reducing the carbon footprint of the individuals, companies and the township. ○ Initiatives to improve air quality ○ Incorporate affordable housing into development/redevelopment planning. ○ Develop a solid waste reduction program ○ Transportation improvements to reduce travel times, safety improvements (aggressive deer reduction program), and promote walking and biking ○ Accountable implementation of sustainable practices, annual tracking and reporting ○ Connect sustainable practices goals to the capital planning process ○ Engage more in regional initiatives and planning ○ Diversify funding sources to support sustainable practices for infrastructure, parks and recreation ○ Set clear goals and objectives and track process with open disclosure to the public ○ Use the township web site as a more dynamic and educational platform for sustainability initiatives | | |
| <p>Introduce and develop the Sustainability Initiative with the BOS and liaise with other Solebury Commissions (EAC) to further support the initiative</p> | <p>Achieved</p> | <p>The BOS has initiated a sustainability steering committee with personnel from the BOS, PC, and EAC</p> |
| <p>Identify and have BOS authorize a 2021 (now for 2023) budget for a sustainability planning consultant to support the Planning Commission and BOS</p> | <p>In process</p> | <p>Township engineer and solicitor have been providing support to date; pursuit of a dedicated consultant is still high priority of both the PC and EAC</p> |

2021:

| Priority | Status | Comments |
|----------|--------|----------|
|----------|--------|----------|

Planning Commission Sustainability Initiative Executive Summary for Board of Supervisors

July 11, 2022

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|---|----|---|
| Engage sustainability consultant to guide us in the scope and benefits of our sustainability undertaking | No | Township engineer and solicitor have been providing support to date |
| Work with that consultant to prepare a comprehensive sustainability initiative for BOS and community review | No | Without the consultant this effort is on hold |
| Provide the BOS with a Sustainability Initiative execution plan (including a sustainability plan for 2022 (now for 2023)) | No | Without the consultant this effort is on hold |

2022 (now for 2023/2024):

| Priority | Status | Comments |
|--|------------|--|
| Execute and implement sustainability initiative including an update to the SALDO and technical best practices / guidelines for green building technologies | In Process | The PC has concluded a technical review of the “Model Alternative Energy Ordinance” supplied by Bucks County – the PC is currently discussing the incentives associated to motivate individuals to move forward with implementing new technologies in their homes and businesses; the decisions surrounding the incentives are proving complex and additional consultant support may be required to finalize recommendations |

Furthermore, at the November 2021 meeting the PC spent time narrowing their focus to a few select efforts that include the following:

- Finalization of the Alternative Energy Ordinance including incentives and requirements for incorporation into the SALDO
- Initiate outside consultant support for development of a Sustainability Plan, a future annex to the Comprehensive Plan
- Continue to support Deer Management Effort
- Review stormwater regulations in light of climate change and recent deluge events
- Step up outreach to residents for awareness and implementation of township priorities (this should be done in conjunction with the EAC and BOS)

Planning Commission Sustainability Initiative

Executive Summary for Board of Supervisors

July 11, 2022

Additionally, through the Sustainability Steering Committee the PC has received raw data from the EAC which will help guide the PC's discussions relative to the energy transition. The energy transition plan is a key document that is under development with the EAC and needs to be in coordination with the both the future Sustainability Plan as well as the township Comprehensive Plan.

Conclusion and PC Request:

The following is a request from the Solebury Planning Commission (which also has the endorsement of the EAC) to the Solebury Township Board of Supervisors that will allow the PC to continue to move forward on progress related to the sustainability initiative. The PC is asking to work with the Township Manager and EAC to move forward with crafting a Request for Proposal (including qualifications, proposed scope and budget) for a sustainability consultant. As noted above, several of our key priorities from 2020 are contingent on contracting with a consultant for further technical support. At this time, both the PC and EAC have just about taken the initiative as far as we can go without additional professional help. This request is for the inclusion of a consultant in the 2023 Budget to assist both the Planning Commission, and the EAC in the following areas (the list below will make up the scope of work of the "consultant"):

- Finalize incentive recommendations for the PC's Alternative Energy Ordinance
- Develop a charter for the Solebury Township's future Sustainability Committee
- Develop, with PC and EAC support, a sustainability plan to be managed by the future Sustainability Committee
- Review and interpret DVRPC data relative to energy usage and its impact on the Energy Transition Plan and Sustainability Plan, (both documents will be annexed to the 2024 Comprehensive Plan update)
- Review the SALDO and make recommendations for other areas of improvement and consistency
- Develop a community outreach program to assist the Township in educating residents of the sustainability initiative and any program incentives that may be available for household conversion & improvements that lessen carbon consumption
- Support the EAC in finalization of the Energy Transition Plan including:
 - Take DVRPC and other carbon data to the next level of analysis, including the identification of carbon metrics to plan and track Solebury's transition off of carbon-based fuels
 - Develop a stakeholder interface strategy that creates the backbone of the township's energy transition
 - Incorporate green technology transition planning beyond solar installations, including but not limited to conventional heat pumps, geothermal, wind, and emerging technologies

SOLEBURY TOWNSHIP BOARD OF SUPERVISORS

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF
SOLEBURY TOWNSHIP, BUCKS COUNTY, Pa. REGARDING
THE NJDOT, DEVIL'S TEA TABLE ROCKFALL MITIGATION
PROJECT CONCERNS**

RESOLUTION 2022-104

WHEREAS the New Jersey Department of Transportation (NJDOT) intends to construct rockfall mitigation in Kingwood Township, NJ on cliffs adjacent to the "Devil's Tea Table Rock Formation" approximately 3miles of Route 29; and

WHEREAS the lower Delaware River segments were designated a National Wild and Scenic River by Congress and President Clinton in 2000; and

WHEREAS Solebury Township, Bucks County, Pennsylvania is a municipal member of the Lower Delaware Wild and Scenic River Management Council; and

WHEREAS the river bluffs from Byram Road in Pennsylvania north to Devil's Tea Table are noted as having "remarkable scenic values" in the Lower Delaware Wild and Scenic River corridor; and

WHEREAS the area parallels the Delaware River Scenic Byway, a designation by the U.S. Department of Transportation (USDOT) and is subject to the Delaware River Corridor Management Plan; and

WHEREAS the Devil's Tea Table geologic formation also has a unique local, historical, and geological significance and is believed to hold religious significance to Native American peoples; and


WHEREAS the Board of Supervisors of Solebury Township believes that life, health and safety are the highest priorities for any matter, and requests that an environmental review by the New Jersey Department of Environmental Protection (NJDEP) and less impactful options be considered by the NJDOT prior to approval of this mitigation project; and

WHEREAS the Board of Supervisors of Solebury Township understands that affected neighboring municipalities have expressed concerns.

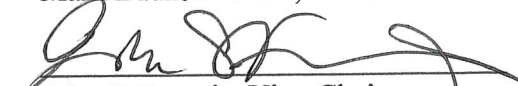
NOW, THEREFORE, BE IT RESOLVED, that the Solebury Township Board of Supervisors supports the position of those elected officials of the affected neighboring municipalities and the request of the Lower Delaware Wild and Scenic River Management Council for further consideration of public safety, natural habitat and environmental impacts, economic impacts and traffic concerns for the NJDOT Devils Tea Table Rockfall mitigation project.

RESOLVED, ADOPTED and APPROVED, on the 19 day of July, 2022, at a regular public meeting of the Board of Supervisors of Solebury Township.

**SOLEBURY TOWNSHIP
BOARD OF SUPERVISORS**




Mark Baum Baicker, Chair



John S. Francis, Vice-Chair



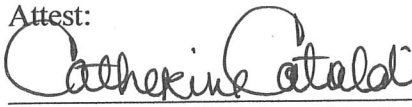
Kevin Morrissey, Member



Robert A. McEwan, Member

Hanna Howe, Member

Attest:



Catherine Cataldi, Township Secretary

Date: July 19, 2022