

**WRIGHTSTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING FEBRUARY 6, 2023**

The Wrightstown Township Board of Supervisors met on Monday, February 6, 2023 in the Meeting Room of the Wrightstown Township Municipal Building, 2203 Second Street Pike, Wrightstown, PA. Chair Chester S. Pogonowski called the meeting to order at 7:30 P.M. Present were Treasurer Robert S. Lloyd (via Zoom), Solicitor Vicki Kushto, Township Engineer Cindy VanHise and Township Manager Stacey Mulholland (via Zoom). Vice Chair Jane B. Magne was absent.

APPROVAL OF MINUTES:

On a motion by Chair Pogonowski, seconded by Treasurer Lloyd, the Board of Supervisors Work Session minutes of December 12, 2022, the Board of Supervisors meeting minutes of December 19, 2022 and the Board of Supervisors Reorganization meeting minutes of January 3, 2023 were unanimously approved.

APPROVAL OF BILLS:

On a motion by Chair Pogonowski, seconded by Treasurer Lloyd, the following January 30, 2023 payments were unanimously approved.

General Fund bills	\$114,577.47
Special Reserve Fund bills	10,898.00
Cable Access Fund bills	2,015.39
Matthews Ridge Sewer Fund bills	3,911.78
Jane Chapman East Sewer Fund bill	5,823.19
Highway State Aid Fund bill	122,020.25
TOTAL	\$259,246.08

On a motion by Chair Pogonowski, seconded by Treasurer Lloyd, the following transfers were unanimously approved.

General Fund to Payroll Fund (01/25/23)	\$25,000.00
MR Sewer Fund to JCE Sewer Fund (Correct Deposit)	\$560.00

ANNOUNCEMENTS:

- A. There were no announcements.
- B. There were no changes to the agenda.

PUBLIC COMMENT:

There was none.

SOLICITOR'S REPORT:

- A. **Sullivan, Conditional Use.** Solicitor Kushto reviewed the conditions as agreed to by the parties during the Sullivan Conditional Use Hearing. On a motion by Chair Pogonowski, seconded by Treasurer Lloyd, the Board authorized Solicitor Kushto to prepare a draft of the Board's approval decision.
- B. **Sullivan, Land Development.** Solicitor Kushto reviewed the conditions as agreed to by the parties for the Sullivan Land Development. She also stated that she did not have a clear direction or definition of the limits of the property fence that would be installed for the land development resolution. Ed Murphy, the attorney for Mr. Sullivan, stated the fence would be installed only on the property line

adjacent to the medical offices. Chair Pogonowski said the Township would like the fence to also be installed on the side of Mr. Sullivan's property that is adjacent to the Township's property. He noted there is a concern about event guests driving through the Township's grass to exit the facility. Mr. Murphy stated that since his client was not present, he was unable to agree to those terms. Mr. Murphy agreed to reschedule the Land Development meeting to March 27, allowing his client time to review fencing options.

- C. Vince's Pizzeria, Resolution #2023-06.** Solicitor Kushto reviewed the conditions as agreed to by the parties during Vince's Pizzeria Conditional Use Hearing. On a motion by Chair Pogonowski, seconded by Treasurer Lloyd, the Board authorized Solicitor Kushto to prepare a draft of the Board's approval decision.

ENGINEER'S REPORT:

There was none.

SUPERVISORS' COMMENTS:

There were none.

MANAGER'S REPORT:

- A. Prime Group, Pheasant Lane, ZHB.** Ed Murphy, the attorney for Prime Group, reported that the lot on Pheasant Lane was originally conforming, but became non-conforming after the Jointure changed the zoning for Wrenwood. The previous owner of the lot had sought variances to build a home. Mr. Murphy also noted the current owner is seeking waivers for a special exception to build on a non-conforming lot. These include a 28 ft. side yard setback instead of 48 ft. and the removal of up to 50% of the trees on the lot. The owner is also seeking relief to have a 4-year fill for lot improvement, allowing for the possibility of adding a conventional sand mound. He is proposing to build a home that is 400 sq. ft. smaller than the previously proposed home. A neighbor had also contacted him about runoff concerns, but the neighbor is located uphill so the property's runoff would not affect the neighbor. The Zoning Hearing Board presentation was postponed to March 22 because of neighborhood concerns. Chair Pogonowski stated that the Board could not provide a continuation for the 4-year fill time frame. He advised Mr. Murphy to add that item as a waiver for the Zoning Hearing Board. On a motion by Chair Pogonowski, seconded by Treasurer Lloyd, the Board authorized Solicitor Kushto to inform the Zoning Hearing Board that the Board has no opposition to the relief requested by the applicant.
- B. Martino, 927 Penns Park Road, ZHB.** Andrew Stoll, attorney for the Martino family, stated the property owners are seeking waivers to subdivide their property into three lots, with two lots being non-conforming. The owners plan to maintain their current home which would be on lot 1. They plan to allow their nephew to build on lot 3, while there are no plans to develop lot 2 currently. Mr. Stoll remarked that due to the nature of the road, the lots cannot be divided perpendicular to the road. Therefore, all the lot lines are at angles which has created an issue with setbacks. Lots 1 and 3 can meet the 200 ft. setback but lot 2 would have a setback of 194 ft. Township Engineer VanHise stated that a by-right plan would allow for the formation of a flag lot and would not need a variance. Mr. Stoll said that the homeowners did not want to contend with the issues of a flag lot. Chair Pogonowski noted that it is unusual to ask for a variance to create a non-conforming lot. Mr. Stoll stated that according to the Commonwealth, he believes the lot to be de minimus due to a ruling on a similar case. Chair Pogonowski said that the ruling was based on an existing lot and not a new subdivision; therefore, it is not de minimus. He also asked about the septic plans. Martino's engineer stated that the lots have not been evaluated yet to determine if they will perk. Engineer VanHise noted that where the land perks can dictate where the property lines can be set. Chair Pogonowski asked that if the variances are granted, is it the owner's intention to do all the perk tests prior to the plans being filed. Mr. Stoll stated that is the intent of the owners. If the variances are not granted, then the applicants would have to reconsider the options of a by-right plan or have only two lots. Chair Pogonowski stated that the Board did not have enough time to review the application and make a decision. He said the Board will

send the application to the Zoning Hearing Board and will review their decision at the March 27 meeting. On a motion by Chair Pogonowski, seconded by Treasurer Lloyd, the Board authorized Solicitor Kushto to inform the Zoning Hearing Board that the Board takes no position on the application.

UNFINISHED BUSINESS:

There was none.

NEW BUSINESS:

There was none.

PUBLIC COMMENT:

There was none.

EXECUTIVE SESSION:

There was none.

ADJOURNMENT:

On a motion by Chair Pogonowski, seconded by Treasurer Lloyd, both voted to adjourn. The meeting was adjourned at 8:35 P.M.

Respectfully submitted,

Stacey Mulholland, Manager