

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
SPECIAL MEETING
MINUTES – OCTOBER 25, 2004

A special meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on October 25, 2004. Chairman Fazzalore called the meeting to order at 7:00 p.m. He thanked Matrix, RAM and Mr. Fegley who represented the Supervisors along with himself and met for almost a year to try to reach a conclusion on how to proceed with the Matrix project.

Those present:

Board of Supervisors: Frank Fazzalore, Chairman
 Pete Stainthorpe, Vice Chairman
 Scott Fegley, Secretary/Treasurer
 Grace Godshalk, Supervisor
 Steve Santarsiero, Supervisor

Others: Terry Fedorchak, Township Manager
 Jeffrey Garton, Township Solicitor
 James Majewski, Township Engineer
 Kenneth Coluzzi, Chief of Police

Mr. Joseph Taylor, Mr. Marc Brookman, and Mr. Russell Tepper, representing Matrix were present.

Mr. Garton stated the original Master Plan Agreement for Bellemead was approved on May 11, 1988. The first Amendment to that Plan was approved by the Board of Supervisors on December 4, 2000; and there were a number of approvals made subsequently. Various Appeals were filed which led eventually to the Supreme Court of Pennsylvania. Approximately nine months ago meetings began with representatives from the Township, Ram, and Matrix to see if there could be a resolution. Mr. Garton stated the representatives for the Board of Supervisors have made it clear that they do not speak for the Township, and everything that is done must be approved at a public meeting by a majority of the Board of Supervisors.

Mr. Taylor thanked the Township for allowing them to be present this evening and stated they appreciate the time and effort put into this project by RAM and the Board of Supervisors. He stated they have been involved in lengthy and expensive litigation regarding this project. This Sub-Committee was started approximately nine months ago, and they have been trying to find a consensus plan. They feel the Plan to be presented this evening does encompass shared goals. The only way they felt they could get to a mutual settlement was if everyone would give something and everyone would get the

Mr. Tepper noted the final type of residential use which is multi-family condominiums located in two areas on the Plan – in between the wetlands to the north of Big Oak Road as well as a few buildings in between Route 1 and the attached townhomes. He stated the condominium buildings will be three-story buildings with reserved parking for the residents underneath the building. The parking for those in the attached townhomes are within the structures themselves as is the parking for the single-family detached products. Mr. Tepper stated the property as a whole is accessed off of Oxford Valley Road, Big Oak Road, Tall Pines Road, and off of Big Oak Road coming from Middletown. These locations were shown on the Plan. Mr. Tepper stated the Plan does not currently contemplate development in Middletown as this has not yet received their primary focus at this point.

He stated the Plan that was previously approved in Lower Makefield Township had an impervious coverage of 50% of the site well below the 65% allowed. He stated the new Plan is approximately 35%.

Mr. Tepper stated age-restricted development means the units will be owned by residents who are fifty-five years or older, and there can be no one under the age of nineteen residing in the home.

The fiscal impact of the project was discussed. Mr. Tepper stated they are equal to that which was previously submitted. There should be a net surplus to the Township after expenses associated with the various Municipal services in excess of \$135,000 to \$145,000 a year. There will be no school-age children generated from the project, and this project will result in \$3 million in net surplus to the School District.

Mr. Tepper stated they have been working on this project through candid discussions since December of 2003 and there has been a lot of give and take. They made a promise eleven months ago that they would only come back before the Township if they could come up with a consensus and they feel they have done this.

Mr. Gary Cruzan, Mr. Mike Upton, and Ms. Dana Weyrick representing RAM were present. Mr. Cruzan stated the Plan that was arrived at is a compromise plan and involved a long negotiation. They wanted to reduce the environmental impact, eliminate big box retail, and dramatically reduce the traffic. The big boxes have been eliminated; and by doing so, they have eliminated 14,000 car trips a day. Currently they are proposing 15,000 square feet of retail which will generate minimal traffic. The Plan also has 40,000 square feet of garden office which will result in 200 employees as opposed to the 3,000 employees previously proposed. He stated when these reductions are made you dramatically reduce the traffic. They feel the traffic impact from this project has resulted in a 90% reduction in traffic. He stated they wanted to make sure that there would be age-restricted housing so that it would have a positive impact on the Township and School District ratables. They feel the School District will get \$3.4 million in taxes

without any children being added, and the Township will receive \$480,000 in revenue with a net revenue of \$137,000 after all Municipal expenses. He stated Matrix had originally agreed to contribute \$1.375 million to the Township in phases, and this will continue in this Plan.

Mr. Cruzan stated they also wanted the bridge to be addressed because of the bottleneck at Big Oak Road. Since this project will be forever, they negotiated that \$1 million would be accumulated over the life of the project, and they wanted to use this money and match with other Municipalities and government entities so that they can get improvements made to the bridge. He stated the \$1 million would be accumulated at the rate of \$650 per unit as they draw Building Permits. This will go into a special fund which will be earmarked for the bridge. If the bridge is not done within a reasonable period of time, approximately five years, RAM and the Township will decide where to use it to make improvements in the neighborhood.

Mr. Cruzan stated the perimeter of the site will be untouched and bermed and left in a natural state. They will also have the bikepaths and jogging trails. They also negotiated for the Park which they felt would be a good family park for picnics, family reunions, etc. He stated there will be improvements on this land for use by the public. Mr. Cruzan stated they also moved the open space up to an area off of Oxford Valley Road so that it would be more accessible to all residents.

Mrs. Godshalk asked if the Weiner property has been acquired by Matrix. She noted the map shows that it is included. Mr. Tepper noted the location on the Plan and stated while it is painted green on the Plan, it is not their property and they are not anticipating acquiring this property. He stated it was the location of the Octagonal School House and it is not part of their Plan. Mrs. Godshalk noted an area of five acres west of Old Oxford Valley Road. Mr. Tepper stated they are not including the Township land in this five acres. Mrs. Godshalk stated this should not be shown as “green” and is deceptive. Mr. Tepper agreed to correct this in the future Plans.

Mr. Mike Upton stated as has been discussed, this is a compromise Plan; and they are pleased with the Plan in general and feel it is a dramatic improvement over the first Plan. He stated it is to Matrix’s credit that they were able to come to an agreement on the building permit funds that will be dedicated to the bridge improvement since this was an improvement RAM was pushing for since it will benefit the region. He stated in comparison to the previous Plan, this Plan is much greener and will have an entirely different look and feel from the previous Plan.

Mr. Fegley commended Matrix and RAM for participating in this process. He stated the process was a model of dispute resolution in situations such as this where all sides sat down and through long and difficult but good-faith conversations were able to reach a consensus. He feels they should focus on the present Plan and not the prior history.

He stated this is indeed a compromise Plan. He personally concurs with Mr. Cruzan and feels this is a dramatic improvement and RAM should be credited with trying to get the best deal for the Township and their constituents. He stated he does not feel anyone came this evening with an etched-in-stone Plan, and they welcome public input; however, he hopes that this Plan is able to proceed.

Mr. Fazzalore congratulated Matrix and RAM as well as the Supervisor representatives. He feels this is a good Plan.

Mr. Stainthorpe stated this has been a controversy for a number of years. He stated good Government is the art of compromise and in general he supports compromises; however the 600 units this will generate will make it one of the largest residential developments in the history of the Township. He stated they should carefully consider the wisdom of putting this on land that is zoned for commercial use. He stated they should also consider how this is going to be zoned if they proceed. He stated the Board of Supervisors must also consider that they need to plan the Township for the next twenty to fifty years and they need to discuss the wisdom of age-restricted housing and whether it will stay age-restricted housing in perpetuity. He stated at the current time this seems like a good idea; but they must consider what will happen when these units come up for sale and what will happen if there are no buyers in this age bracket and if these will be open to Court challenge.

Mrs. Godshalk stated she was the only vote against the original Plan three years ago because at that time she felt there should have been public hearings regarding the change to big box stores. She stated she does not feel anyone felt that they were against commercial since commercial does help with ratables and the three commercial centers they have in the Township do add to the ambience and necessities of the Township residents. She stated she feels they can sustain more commercial areas, and they could have been sold a good commercial project in this area; however, it was the big box stores which were of concern. She stated she is not against age-restricted housing per se but feels over 600 units in one area is too many. She stated she looked at a community in Upper Makefield which is one third the size of this proposed project, and she found it very confusing. She stated she understands that there is a need for this type of housing, but none of the developments in the area have the condominium-type units which are proposed for this development. She stated the Bucks County Planning Commission Chairman, Lynn Bush, has come out against adding any more senior developments because they are not sure the law will hold. Mrs. Godshalk stated other condominiums in the Township are selling quickly because there are no age-restrictions, but she is concerned with the age-restriction, it may be difficult to re-sell these units. She feels Court cases are going to rise out of adult communities. She stated they have not seen this yet because they are just beginning.

Mrs. Godshalk stated at one point they were told there would be 10,000 square feet of commercial and now she has heard it could be from 10,000 to 20,000 square feet. Mr. Tepper stated they have not decided as yet, but it could range between 10,000 and 20,000 square feet. He stated they do not know who the end users will be and do not know how the units will be designed. Mrs. Godshalk stated 10,000 square feet of commercial is probably not sufficient to service the needs of those residing in this new residential community. Mrs. Godshalk also stated there is currently a problem crossing the Bridge; and if they add these proposed units and Middletown development as well, she feels the Bridge should be done right away. She stated she feels it will cost more than \$1 million and noted that Bucks County does not usually contribute to these types of projects although they may get something from Middletown. Ms. Weyrick stated the Bridge is not in Lower Makefield. Mrs. Godshalk stated she feels the developer should do this at the development stage.

Mrs. Godshalk stated Mr. Cruzan reported they would get \$3.4 million for the School District but she has been told the cost of the homes in order to determine whether this is correct. Mr. Cruzan stated they do have a range of prices for the homes, and Mrs. Godshalk stated this information should have been divulged. Mr. Tepper stated as part of the discussions they have had over the past several months, they did an impact analysis for the project now proposed. Mrs. Godshalk stated she would like to see this information. Mr. Tepper stated they did share this information with the Committee. Mrs. Godshalk stated she feels those figures should be included in any discussions. Mr. Cruzan stated he did summarize this and it is all projected out. He stated the taxes coming out of this project are equal to the prior project approved, and the impact to the Schools is more positive than it was with the big box. Mrs. Godshalk stated she feels the cost to the Township will be much more with residential because those new residents will be calling the Township looking for services. Mr. Cruzan stated they did the analysis on a per capita unit and projected it out using the Municipal costs. They came up with a profit from all Municipal services of \$137,000 annually. He stated they can make the reports showing this available. Mrs. Godshalk stated knowing what is happening daily in the Township regarding calls about sewer bulls, water bills, Police, etc. she feels there will be a higher impact with residential use than with commercial. Mr. Cruzan stated they did the Municipal cost per person that the Township is experiencing currently to come up with their figures. He stated this is only a conceptual discussion which is why they did not submit all the details.

Mrs. Godshalk stated she feels the price of the units should be told up front. Mr. Tepper stated they projected unit values for the three different type of housing: Condominium Units would range from the low to mid \$200,000 per unit; Townhouses would range from the low to mid \$300,000 per unit, and Single Family Detached units would be at the low \$400,000 range. Mr. Taylor stated they are not trying to be evasive on specific prices and specific designs. They are trying to review the concepts and answer questions at this point. He stated they know there is a lot of work still to be done in the future. He stated the Committee does have the methodology on the units, the traffic analysis, etc.

Mrs. Godshalk stated the Committee includes only two Supervisors, and they need three votes for approval.

Mr. Fegley stated he and Mr. Fazzalore went into this with, as a minimum bar, that any new project had to have at least as favorable a financial impact as did the previously-approved project. He does not feel either RAM or the Township would support this Plan if there was a negative impact.

Mr. Santarsiero thanked Matrix, RAM, Mr. Fegley, and Mr. Fazzalore for working on this matter. He also thanked the public for their concern because he feels the original project would have proceeded if not for the community response. He stated while he does echo some of the concerns, particularly those voiced by Mr. Stainthorpe as to the future of age-restricted housing and Mrs. Godshalk's regarding the number of units proposed, he feels this concept is better for the community in the long run than would have been the big box stores. He stated big box stores have been a problem with surrounding communities when the big boxes go vacant for many years. He feels the fact that these are out of the Plan is a tremendous accomplishment. He stated he can only vote for something that has broad support in the Township. He stated while they do not have to discuss the details this evening, he is concerned with the Middletown portion of the project. He noted the presence of a Middletown Supervisor in the audience this evening and feels both sides of the border should be developed in the best way to benefit both Townships. He feels they need better clarity as to what may go on the Middletown portion. He would like to see the discussion process begin on this. He also noted his concern with the financial arrangements. He stated they have indicated this project would net the Township \$137,000 over and above required services; however, it was important to the Township that whatever alternative was agreed upon, the Township would get the same financial incentives as previously-approved. He stated this included Fee-In-Lieu and a \$100,000 a year payment to the Township in perpetuity. He stated some have indicated that this payment was because of added services related to the big boxes; but he feels by virtue of this new proposal adding up to 1200 people to the Township, there will be additional costs. He is not sure that \$137,000 will cover these additional costs. He stated the Township Budget is a difficult problem for the Township, and he feels they should reconsider this \$100,000 which was to be paid to the Township yearly in perpetuity. He stated they are unable to determine now what the problems will be thirty to forty years in the future. He would like to see this included again. With regard to the proposed changes to the Bridge, he understands the origin of this concern, but he is less certain that this is something that absolutely needs to be undertaken by the Township because the Delaware River Bridge Commission and PennDOT are looking at widening the Scudders Falls Bridge as well as widening of I-95 from the River to 332. He has raised the idea that the study should be expanded to include I-95 south of 332 down to the new proposed Interchange with the Turnpike because of the potential for bottlenecks if this area is not expanded as well. He stated if they expand I-95 to three

lanes both ways from the River to the new Interchange, they will have to expand this Bridge as well, and it would then be at PennDOT's expense. He stated he would therefore prefer that the money from Matrix being considered for the Bridge come instead to the Township so that they can use it throughout the entire Township.

Mr. Fazzalore stated the \$100,000 was never taken off the table. He stated it was decided that they would discuss it at a later time. He stated he and Mr. Fegley insisted that the Township's original financial Agreement was in effect, and this included the \$100,000. He stated he is not sure it will remain in the final analysis, but at this time it is still on the table. Mrs. Godshalk noted with regard to the original \$100,000 proposed, that they recently had a study done on the cost of a new Police Officer; and it showed that including salary and benefits it would add up to \$100,000 a year for one Officer. She stated they should also know how many of each type of units are planned. Mr. Taylor stated the Plan as shown indicates it would be one third of each type.

Mr. Taylor stated there have been disagreements over the years on the characterization of the \$100,000. He stated he feels this was specifically for the added impact for the big box, although he recognizes that this is an item that was not agreed on by everyone. He stated they do not feel this project can solve all the problems that exist in the Township either budgetarily or for things like Bridges, etc. He stated this project can support the weight of its own burdens and does not require all of these items. He stated they could provide the fiscal impact analysis to all those interested. Mr. Santarsiero stated the reason Mrs. Godshalk brought up the \$100,000 for a Police Officer is because the ratio for residents to Police Officers is under 1,000 to one; and if 1,000 to 1,200 residents are being added, they may have to add an additional Police Officer.

Mr. Stainthorpe asked how the Township will protect itself from someone who comes in and seeks a curative amendment because they feel the Township does not have enough commercial development in the Township which could result in big box stores at some other location in the Township. Mr. Brookman stated this was discussed and what is proposed would be part of a Settlement Agreement. The Township would either by right or Conditional Use provide for this particular use type in this District. As a result of adding it into the District, it is not the Township's role to determine what other uses could get built, but they would have provided for every legitimate use in the Township. Mr. Taylor stated they were all very sensitive to this as were they to the issue of making sure that 55 and over stays 55 and over. He stated they feel they can build the strongest mechanisms by law to address these issues. Mr. Fegley stated the consensus also included that no party to the Agreement would mount any kind of curative amendment elsewhere in the Township. Mrs. Godshalk stated there are other developers besides Matrix.

Mr. Joe Menard, 917 Putnam Drive, stated he is concerned with where they will be in the future with regard to the need for age-restricted housing. He asked if the \$100,000 referred to is part of the \$137,000 being referred to; and Mr. Fazzalore stated it is not.

Mr. Tepper stated they did an analysis which showed that the project would generate approximately \$460,000 in revenue to the Township under the new valuations. From that, there are a series of expenses which get subtracted and this netted approximately \$137,000 to the Township yearly. Mr. Taylor stated \$5 million was for road and intersection improvements, and these are remaining in place. He stated the \$100,000 for the Police salary was already deducted before they got to the \$137,000 net yearly. Mr. Santarsiero stated Chief Coluzzi just advised him that they would have three shifts which could mean three Police Officers. Mr. Menard stated he still questions the numbers. Mr. Taylor stated this is a legitimate concern until they have the opportunity to review the methodology. Mr. Menard stated he is still concerned about the traffic impact as he feels with the change in use, it is simply pushing it to a different location and not really reducing it 90%. He feels the Yardley Corners residents would like to have more retail, and they have not provided enough for even the new residents.

Mr. Fegley stated with regard to the age-restricted issue and whether it could continue to remain age-restricted, he noted this use has been around for a few years; and although it has not been subjected to tremendous Court challenges, it is not without precedent. He stated he does not feel that they can wait to see if age-restriction will mature and go through Court challenges. He stated they can look at what has happened with open space preservation with the sale of development rights where a property owner agrees to put certain restrictions on a property. He stated the buyer makes the choice to buy with the acceptance of the risk that they may not be able to re-sell the property in the same market. He stated if you look at the history of litigation with respect to open space preservation, the Courts have held that the restrictions remain. He feels this will occur as well with age-restricted housing.

Mrs. Godshalk stated they have had age-restriction broken in the Township already as the first age-restricted development, Sutphin Pines, was broken by an attorney who had a young son. The rules were broken, and Sutphin Pines is no longer an age-restricted development.

Ms. Maureen Pelahaty, Arborlea, stated she cannot understand how they could take commercial property and not let people come in with commercial use when there was a need for retail in the Township and a need for ratables. She stated Mrs. Godshalk asked three to four times to get a cost on the units to be built. She stated now they are indicating they will be between \$200,000 and \$500,000. She stated she feels many of these residents will be professionals and will still be going to work so that they will generate traffic. She stated she is also concerned that if the age-restriction is lifted, it will

open it up to school age children coming in and the taxpayers will be involved again. She is also concerned with the number of units proposed.

Mr. Larry Borda, 508 Heritage Oak Drive, stated he is very thankful that they have reached this point and thanked all the people who worked to get it to this point. He stated he feels big box was one of the worst things that could have happened to Lower Makefield. He feels Matrix has done research to make sure that they will be able to sell these units. He stated he feels it is important to the Township that this deal goes through. He stated they have indicated that Matrix will still install the same traffic improvements they had previously agreed to, and this should more than compensate for the residential units to be added. Mr. Borda stated he is confused about the Bridge because he does not ever remember this being an issue in the past and should be less of an issue now that it is going to be a largely residential development. He stated the Bridge is owned by PennDOT; and at some point in time if it is decided that the Bridge is a problem, he would question who would pay for it. Mr. Fazzalore stated they could get it on the PennDOT list which could take twelve years or more. He stated in the past they have found that if you participate with PennDOT, they react more quickly. He stated the proposed cost for this was \$3.4 million; and if they advise PennDOT that they could contribute \$1 million, they might get it done in less than twelve years. Mr. Borda stated he would suggest that there be a limit placed on the time when they would go to PennDOT; and if it does not proceed, he feels the money should be turned back to the Township to use by the Township in some manner that the Township deems fit. Mr. Borda stated he is also confused about the potential for a challenge as he felt you had to change the zoning to allow for this to come in. Mr. Garton stated they need to look into the appropriate way so that they do not move the potential for big box to be at some other location.

Mr. Gordon Principie, Emerald Drive, stated he feels they should consider the higher impact on all first responders which will be a result of an age-restricted community of this size. He stated there are three main arteries that extend farther into the Township than the original big box proposal and asked if a study has been done regarding the impact on Oxford Valley Road up toward the railroad tracks. He stated if the over fifty-five laws were done away with, they should consider a contingency study in terms of school-age children coming into this 600 unit development. He also asked about the aesthetic impact of three-story units on the surrounding area. He also questioned how water and sewer will be addressed and whether they can handle a development of this size. Mr. Fazzalore stated with regard to the sewer, they would have to get a permit from the Bucks County Sewer Authority which goes into Philadelphia. He noted currently there is a moratorium, but he feels this will be resolved shortly. Mr. Garton stated the developer pays for all infrastructure costs. Pennsylvania American would have to determine if they have sufficient capacity to serve this community or if the developer would have to provide for an upgrade. This would be at no expense to the Township.

Mr. Garton stated there were discussions on the impact of school children, and this information could be provided later.

Mr. Taylor stated Mr. Rogers should comment on the \$5 million figure that was previously discussed and the impact now that they are going lower in density on traffic. Mr. Robert Rogers, President of Orth Rogers, was present and stated he started working on this project in 1985. He noted the northernmost access point which is for right turns in and out only. The access at Tall Pines opposite Yardley Corners is proposed for a signal as it was previously. There will be major improvements at the intersection with Big Oak Road. He stated they have been permitted by PennDOT to construct four through lanes in each direction with separate turning lanes going off in double left turns. He stated they also plan to match improvements to be done further up toward Route 1. They designed the improvements for volumes ten times higher than what the compromise plan is showing, and these will still be done despite the decrease in volume. He stated there is one change from the prior Plan on one road which he showed on the Plan. He stated the road was previously shown on a new alignment, and now it will be improved on the existing alignment. He stated these improvements will result in better levels of service and provide for better movements.

Ms. Lisa Pflaumer, Middletown Township Supervisors, stated Middletown was also concerned with the big box stores. She stated Lower Makefield and Middletown need to work together to make sure the improvements made benefit both Townships. She stated while the Middletown portion is not zoned for big box stores, office buildings, hotels, etc. they need to work with Matrix to find out what their plans are for the Middletown side now that they have changed the Lower Makefield portion. She assumes they are looking toward retail on the Middletown side in order to help provide for the needs of the new residential units. She stated she is also interested in the Bridge and agreed that PennDOT tends to move forward if the Township makes a contribution. She stated she is concerned that they make sure that the lines of communication are kept open. She stated they have age-restricted housing development in Middletown Township. She does not feel Matrix will have any difficulty getting occupants for their units. She stated these types of units have been selling for \$300,000 to \$400,000 in Middletown, and a number of Lower Makefield residents have moved into these units. She asked if it will be a gated community. She stated if this is the case, the Township will not pay for road repairs and other infrastructure items. Mr. Tepper stated whether or not it is a gated community, the internal roads will be maintained through the Homeowners Association. He stated they are not typical Township roads. He stated the only roads that will be public are those that are public now such as Oxford Valley and Big Oak Roads. Mr. Tepper stated he would not assume that they are going to focus on any one particular use in Middletown at this time; although they are aware of the permitted uses. He stated they have not focused much attention on Middletown as they were advised by Middletown representatives that they should get their plans resolved in Lower Makefield before proceeding with Middletown Township. He noted that some of those people are no longer in office in

Middletown. He stated Matrix is interested in meeting with Middletown Township as to what is possible in Middletown.

Mr. Zachary Rubin, 1661 Covington Road, stated he is a member of the Executive Board of Makefield Glen where there are 848 homes and is one third larger than this proposed development. He stated he would be in favor of the conceptual plan. He stated big box retail would have been a nightmare for traffic. He stated he does not feel his community negatively impacts the roads in the area. He feels a 600 home development will not be that much of a negative impact. He stated he is concerned with the financial impact. He stated this development will add approximately 1200 people and feels they will have to increase the Police personnel and other first responders and feels the \$100,000 in perpetuity should be included in the Agreement.

Mr. Anthony Bush, 515 S. Ridge Circle, stated he does support the proposal in theory. He is concerned with the amount and allocation of Matrix's financial contribution to the Township. He stated the Township originally insisted that Matrix would abide by the financial contributions in the original Plan, and he is concerned that the \$100,000 in perpetuity is no longer on the table and has been reduced to a lump sum of approximately \$1 million to be put in escrow. Mr. Fazzalore stated the \$100,000 is not off the table. Mr. Bush stated he is characterizing Matrix's comments. He stated neither Matrix's nor RAM'S traffic engineers have indicated the Bridge is necessary; and in fact, RAM's traffic engineer indicated that it was not necessary. He feels they should not put the money into this escrow account. He stated if there is an Agreement that the money should be used for the community, they could put it toward a Community Center or put it in the General Fund. He feels to put it toward a Bridge which RAM's expert has indicated is not necessary, should not be done. He stated nothing has been shown indicating that the Bridge is necessary.

Ms. Weyrick stated RAM negotiated this because they were looking at this as a regional project. She stated this was done once Mr. Bush was no longer involved in the process. She stated this Bridge could cost \$3.3 million, and \$1 million would help get the project done. Mr. Santarsiero stated if the Bridge is unnecessary and Matrix is willing to contribute \$1 million for other purposes other than the Bridge, then the Township should not be constrained to put it toward something that RAM's own expert has indicated is not necessary. Mr. Santarsiero stated RAM's expert indicated this Bridge was not needed. Mr. Upton stated they have had this discussion for years. While there may not have been agreement from expert opinion, which RAM contested all along, they felt the Bridge did pose an obvious bottleneck especially considering future development along Township Line Road coming from Middletown and the opposite direction. He feels not doing something with the Bridge leaves a big hole in the Plan. Ms. Weyrick stated she was a litigant and has the right to ask for this from the developer. She stated they felt this was important for the region. Mr. Bush stated he does not feel it is a difference of opinion; he is quoting the RAM expert. Mrs. Godshalk noted an area where there is a

similar size bridge – Woodside Road – and there are problems currently even though it is a low-density area. She stated she feels the Bridge in this area must be done at the development stage.

Mr. Mel Ozoik, Sutphin Pines, stated over fifty-five should be seriously considered. He stated Sutphin Pines was an over fifty-five community, and regrettably it is no longer restricted because of a lawyer taking it to Court. He stated there is always a way around the over fifty-five restriction. He stated currently there is a need for this type of use and probably for the next ten years; but after that there is “baby boom bust.” Mr. Fazzalore stated on a National level, the population of the U.S. is aging. Mr. Ozoik stated this is correct in the near term, but not in the long-term.

Mr. Cal Marshall, 266 Oxford Valley Road, stated he will be affected by any traffic and has been for many years. He stated there has been a bottleneck building, and he feels the improvements to the Bridge have been needed for some time. He is in favor of the new concept proposed.

Mr. Barry Wood, 20 Glen Drive, stated he would like to see this approved and feels it is good for the senior community and hopes people like himself who currently live in the community will be able to afford to move there. He stated he feels this is a good compromise plan and is a good example of what happens when all those concerned meet together. He feels they should proceed with the Plan taking into consideration the comments made this evening.

Mr. Dick Cylinder, 2308 Yardley Road, asked how they will change the Comprehensive Plan and Ordinances in order to accommodate what is proposed at this location. He stated he has been a planner for fifty years, and feels this does not meet any of the provisions of any of the Zoning Ordinances or Comprehensive Plan of the Township. He asked when the people will have an opportunity to review the Plan. Mr. Fazzalore stated this is only a conceptual plan, and the Township plan review process will still take place. Mr. Stainthorpe stated when the Township Master Plan was revised approximately a year ago, the Planning Commission suggested that perhaps age-restricted housing may be a better use for this Plan. They will need to create a Zoning Ordinance in the Township and be very thoughtful about it. He stated it should not be an Ordinance created just for this project and should be an Ordinance that works anywhere in the Township. He stated this will involve public input as well. He stated the Matrix project will still go through the Land Development process. Mr. Cylinder stated they will have to have the Ordinance in order before that. and the Board of Supervisors agreed.

Ms. Helen Gausly, Palmer Farm Drive, stated she feels the Bridge should be improved. She thanked all involved for working hard on this project.

Mr. Dave Shuster, 1270 Bluestone Drive, asked if the project will be subsidized by Federal money such as HUD, and Mr. Taylor stated this will not be the case. Mr. Shuster asked if there are any historic structures on the property and asked if they will be maintained. Mr. Fazzalore stated while it was not on this specific site, there was an Octagonal Schoolhouse in the area, but the stones were removed by many people over the years. There are no historic structures currently on the property. Mrs. Godshalk stated there was a barn, but it was already removed. Mr. Shuster stated he feels the right-hand side of the diagram appears dense, and there should be more open space in that area.

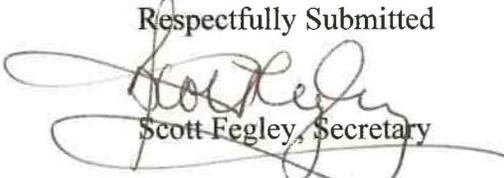
Mr. Bill Taylor, Yardley Corners, asked the height of the single-family units and Mr. Tepper stated they will be one-story units. He stated some do have lofts.

Mr. Virginia Torbert stated she supports the compromise and thanked everyone involved. She stated she feels it would be better to have the land to be donated to the Township back up to some of the other open space which would make it a more appropriate setting for a Park. She noted a location where the open space could front on Oxford Valley Road to the right of Big Oak Road. Mr. Tepper reviewed the types of buildings they have planned for this area. Ms. Torbert noted another location in front of this facing Oxford Valley Road but it was noted this is not owned by the developer.

Mr. Mike Cain, Brock Creek Drive, asked what will happen if there is no longer a need for age-restricted housing after they begin construction. Mr. Taylor stated the project will be deed restricted for fifty-five and over. If the project goes “bust,” the deed restriction will remain. He stated they have proposed up to six hundred units. Once they get into the final design, they may find that they are not able to get six hundred units, but they have given this number as a cap. He stated it could only be developed by a subsequent developer as an over fifty-five development. Mr. Cain asked what will happen if all three parties do not sign the Agreement. Mr. Fazzalore stated he feels the litigation will continue, and they may be back to big box stores. Mr. Fegley stated if the big box is not allowed by the Courts, the developer could come back with some other Plan with uses permitted under the current Ordinances. Mr. Cain asked how the two Township representatives to the Committee were selected, and it was noted this was by vote of the Board. Mrs. Godshalk stated she feels they were self-appointed. Other Board members disagreed. Mr. Cain stated he feels the proper Board of Supervisor representation to the Committee should have included the one Supervisor who voted against the project and one of the Supervisors who voted in favor of it.

Mr. Fazzalore stated this matter will be discussed further in the future. There being no further business, the meeting was adjourned at 9:10 p.m.

Respectfully Submitted



Scott Fegley, Secretary

