

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES – MARCH 7, 2005

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on March 7, 2005. Chairman Stainthorpe called the meeting to order at 7:30 p.m. noting that the Board had been meeting in Executive Session since 7:00 p.m. to discuss legal matters.

Those present:

Board of Supervisors: Pete Stainthorpe, Chairman
 Scott Fegley, Vice Chairman
 Frank Fazzalore, Supervisor
 Steve Santarsiero, Supervisor

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

Absent: Grace Godshalk, Secretary/Treasurer

PUBLIC COMMENT

Mr. Zachary Rubin, 1661 Covington Road, stated he is a strong proponent of a Senior Center in Lower Makefield; however, it is his understanding that the \$1.5 million in State funds is part of a capital program wherein the State has the ability to borrow \$200 million to fund certain projects that are worthy of economic impact on communities. He stated on this list there are over \$4 billion in projects. He stated the petition being circulated is to ask the Governor to allocate funds out of \$200 million available out of the \$4 billion on the list, to build a Senior Center. He stated he does not think the economic impact of a Senior Center would be great enough for the Governor to allocate those funds. He stated he feels that they should pursue other avenues as well since he does not feel the Township is going to get the money from that source. Mr. Fazzalore stated that things have changed in the State. He stated the Community College is included in that \$200 million which means there will be less for the College.

Mr. Bob Slamen, 50 Bedford Place stated he is against the Senior Center noting this is not "free money" coming from the State. He stated the Governor raised the income tax 10%. He stated the seniors do get a lot from the Township as they get excellent police and fire protection, roads repaired, sewer service, etc. He stated they get everything all other Township residents receive.

Mr. James Holbert, 884 Slate Hill Road, stated his neighborhood is very concerned that Verizon is using their neighborhood as a dumping ground. He stated they started their project about eight weeks ago. They have dumped gravel and stone at the entrance of their community and the school buses can no longer take their normal route.

Mr. Stainthorpe stated the Township Manager has been meeting weekly with Verizon. Mr. Fedorchak stated they will look into this tomorrow.

Mr. Sam Conti, 96 Sutphin Road, stated there was an article in the Bucks County Courier Times regarding Grants. He stated the Township recently removed recyclable containers from the parking lot; and he asked if the Township did not receive Grants because of the removal of those receptacles. Mr. Fedorchak stated the Township has received a Performance Grant every year for the last fifteen years. Mr. Fegley stated the Township has historically been one of the top three Municipalities in the State for its participation in recycling efforts. He stated they will also hold their second hazardous waste pick up in the Township in the near future. The DEP has only five of these in the County, and Lower Makefield is one of the Townships that participates as a host site. Mr. Conti also noted an article regarding farm subsidies. He noted the article indicates that some Municipalities have received such subsidies. He asked if the Township could apply for these since they own open space and farm properties. Mr. Fedorchak stated this has never been investigated. Mr. Conti noted the listing of local farmers who are receiving subsidies and stated possibly the Township could qualify for this. Mr. Stainthorpe stated they should probably look into this.

APPROVAL OF MINUTES

Mr. Santarsiero moved and Mr. Fazzalore seconded to approve the Minutes of February 21, 2005 as written. Motion carried with Mr. Fegley abstaining.

DISCUSSION AND MOTION ON RESIDENTS' REQUEST FOR TRAFFIC CALMING MEASURES ON RIVER ROAD BETWEEN BLACK ROCK AND FERRY ROADS

Ms. Judy Curlee, 551 River Road, asked that those in attendance with regard to this matter stand. She stated she is representing forty petitioners who reside along River Road between Ferry and Lechtworth. She stated this is a 2.6 mile stretch of road. She reviewed the various speed limits along the length of River Road. She stated there are problems with reckless driving and property damage. She stated there have also been incidents of killed and injured domestic pets and deer on the road. She stated the road topography does not lend itself to the posted speed in their area. She stated there are sixty-nine points of egress along this stretch of road. She has had discussions with Mr. Fedorchak about traffic calming measures that were recently approved for

Lindenhurst Road. They would ask that the Board of Supervisors do a traffic study in their area. They are requesting that there be a reduction in the speed limit to thirty-five miles per hour, increase and maintenance of signage including installation of a “Watch Children” sign, and that there be increased law enforcement during rush hour and weekends. She noted the letter received from Mr. Hastings from Rose Hollow who has had two near misses trying to visit a resident of this area.

Mr. Seth McCormick, 777 River Road, stated he is 100 yards up from Black Rock Road. He stated he has a six foot stockade fence in front of his property. He stated the river bank in front is quite steep. He stated the preferred route to New Hope for motorcycle riders is to come from Black Rock and up River Road. He feels they are traveling approximately eighty miles per hour by the time they reach his driveway. He noted a fatality and property damage in the vicinity of his home as well as vehicles going off the road. He feels there is a tremendous disregard of the speed limit in this section of River Road and does not feel the area is policed as he has never seen a traffic stop in this area. He has contacted the State since when there is a heavy snow, because there is no shoulder, snow plows have taken down his fence and a number of mailboxes. The State indicated his fence was within the acceptable perimeter of what the State regards is its province for snow clearing. He asked that someone in authority speak to them about this matter.

Mr. Tom Lytle, 525 River Road, stated he has had property damage including damage to his mailbox and to the fire hydrant. They would like a safe environment for the people using the road and the people who live there. He stated it is very hazardous trying to turn into his driveway with a tailgater behind them who then proceeds to pass into the oncoming lane of traffic. He asked that the Township do a traffic study.

Mr. Leonard Shrug, 621 River Road, stated the width of the paved surface is 26'. He stated he does not feel forty miles per hour is slow enough for this road and a car will either do property damage or go into the River because of the narrowness of the road. He stated because of the topography, it would be very hard for any of the driveways coming onto to the roadway to meet the minimum PennDOT guidelines for clear site distance for a forty mile per hour road. He stated this is a residential area despite the fact that it is considered a collector road. They feel it should have a thirty-five mile per hour speed limit.

Mr. Stainthorpe stated he is a proponent of lowering speed limits in general. He stated River Road is one of the most beautiful roads in the Township and is an asset to the Township. He stated the Township can apply to take back State roads. He stated they recently did this on Edgewood Road for the purpose of lowering the speed. He feels they should look into this on River Road as well. He stated the State has turned them down on other roads in the past noting that they did try to take back Lindenhurst Road. While the State would not agree to this, they did agree to traffic calming measures. He noted there

are some staffing problems with more enforcement of the road. He stated local Police Departments are not permitted to use radar in Pennsylvania. He stated there is a Bill before the House to permit this, and the residents should get behind this.

Mr. Fazzalore recommended that they hire PCS to perform a study on the road, see what measures are available, and discuss the matter with PennDOT. Mr. Santarsiero stated while he is in favor of a study, he would prefer that they first try to take back the road. He stated they have had success with parking an empty Police car in the area during those hours which are the most difficult. Mr. Fegley stated he agrees that they should try to take back the road. He stated in Falls Township, they have installed “slow down” signs in areas where speeding is a problem. He stated in those instances it was interior/residential roads while on River Road, he feels most of the problem is with commuters and not the residents of the immediate area.

Mr. Santarsiero noted the electronic signs which indicate the speed being traveled and asked if they have been effective in the Township. Chief Coluzzi stated they are effective for short periods of time. Mr. Santarsiero suggested the sign be rotated on a schedule in the meantime. Chief Coluzzi stated they have seventeen locations in the Township where they do selective enforcement, and River Road is one of those areas. He reviewed how these locations were selected. They do try to rotate the speed machine and their Officers among these seventeen locations. He stated some of the locations are difficult to monitor with the equipment they have and this is why radar is so effective. He stated the officers who do these enforcement areas are officers working overtime because they cannot commit their regular staff to do the traffic detail as they need them available to answer calls. Mr. Shrug asked if the State Police could help, and Chief Coluzzi stated while they may come in, their resources are limited and they are usually on I-95.

Mr. Alan Breward, 743 River Road, stated he has had significant damage to his landscaping. He stated the Police presence in this area is invisible. He stated they also need a double line painted on the road because people are passing all the time and it is very dangerous.

Mr. Fazzalore stated even if they take the road back, they should still do traffic calming measures. He suggested that they proceed with both.

A gentleman from 681 River Road, noted an incident where a car hit a telephone pole because it was cut off by someone trying to pass. He stated in the nice weather, there are also a number of bike riders on this road which makes it very dangerous.

Mr. Tony Islan, 1162 Ascot Court, stated if they do lower the speed limit, they should remember that they do need to enforce it. He stated he lives near Quarry Road where the speed limit is 25 miles per hour and the traffic, including School buses, is exceeding this.

Ms. Carolyn Abramson, 701 River Road, stated in the rush hour there is a lot of speeding and those who live on River Road tend to go slow hoping to slow down the rest of the traffic. She stated before rush hour, people are going eighty miles per hour.

Mr. Shrug stated he agrees that the School buses throughout the Township are speeding through the School zones and traveling even faster on the other roads. He stated he feels the buses should be ticketed. Mr. Santarsiero stated if there is an issue with the Pennsbury School District buses, he feels the Board of Supervisors should contact them and suggest that a directive be issued to their drivers that they follow the speed limits in the Township. He stated the Police Department should also be asked to enforce the speed limit.

Mr. Fazzalore moved, Mr. Santarsiero seconded and it was unanimously carried to authorize the Township Manager to proceed with PennDOT to take back the road and authorize PCS to study traffic calming measures on River Road.

RECOGNITION OF NATIONAL GOLF FOUNDATION AWARD

Mr. Terry Bannon, Makefield Highlands General Manager, stated they administered a survey on the Internet in November. It was a survey developed by the National Golf Foundation. They sent out 3,000 surveys and received 987 back which is three times the National average. They were also given input on how they could improve and they also received a lot of demographic information from the survey. He stated the staff at Makefield Highlands received an 86% customer satisfaction rating. On behalf of Kemper sports, he presented the plaque to the Board of Supervisors

Mr. Stainthorpe stated they are very pleased to receive this award especially in their first six months of operation. Mr. Stainthorpe thanked the staff of Makefield Highlands and members of the Golf Committee for all the work they have done.

Mr. Bannon stated they gave out one grand prize in three different categories and Lower Makefield was one of nine runner-ups in the Municipal Division.

Mr. Santarsiero asked about the debt restructuring, and Mr. Garton stated they will consider this at the next meeting.

DISCUSSION AND APPROVAL OF TROILO-FLOWERS PRELIMINARY/FINAL MINOR SUBDIVISION PLAN

Mr. Edward Murphy, attorney, was present. Mr. Garton reviewed possible conditions of approval. Mr. Murphy stated with regard to the Waivers, it was agreed with

Mr. VanDyke to defer any improvements until the balance of the site is planned and laid out. Mr. VanDyke will be involved in this process. Mr. Murphy stated at this time all they are doing is the Minor Subdivision. No land development is proposed at this time.

Mr. Murphy noted there is a historic home on the property. Mr. Santarsiero stated there are also two barns, one of which straddles the property line. This was originally proposed to be taken down but it is now proposed that it either be relocated or, if it is determined to be in very poor shape, it would be dismantled and there be adaptive use somewhere else.

Mr. Santarsiero moved and Mr. Fegley seconded to approve the Troilo-Flowers Preliminary/Final Minor Subdivision Plan dated 10/8/04, last revised 1/14/05 subject to:

- 1) Compliance with PCS letter dated 2/10/05 including granting of five Waivers as follows:
 - a) Providing public water within 1,000 feet of the location
 - b) Providing public sewer within 1,000 feet
 - c) Making frontage improvements
 - d) Installing sidewalks
 - e) Stormwater requirements
- 2) Compliance with CKS letter dated 11/9/04;
- 3) Compliance with Carter VanDyke letters dated 2/4/05 and 2/14/05;
- 4) Compliance with Bucks County Planning Commission report dated 11/24/04;
- 5) Receipt of all permits and approvals by all agencies having jurisdiction;
- 6) Payment of all Township expenses related to the Application.

Mr. Murphy agreed to these conditions, and the Motion carried unanimously.

MOTION WITH REGARD TO MCGINN CONSTRUCTION VARIANCE REQUESTS

Mr. John VanLuvanee, attorney, was present with Mr. McGinn, and Mr. Mark Butrow, engineer. Mr. Garton stated his office was authorized to appear on the Board of Supervisor's behalf at the Zoning Hearing Board meeting and take an adversarial position. Mr. VanLuvanee has asked to be present this evening to determine if the Board's opinion remains the same.

Mr. VanLuvanee stated this matter was originally scheduled before the Zoning Hearing Board in January and was continued. In reviewing the Board of Supervisors' Minutes they found that the Board was going to oppose this Application because Mr. Majewski felt that with respect to three of the four Variances there might be alternatives which

would not require Variances. He stated they met with Mr. Koopman and Mr. Majewski to review the issues. As a follow up, because three of the issues relate to utilities, they met with Mr. Hoffmeister and Mr. Zarko. Two of the Variances relate to how they will connect to sewer lines. The third Variance relates to water and the fourth is a driveway issue. Mr. VanLuvanee stated he would like to review the Variances with the Board to see if the Board of Supervisors would reaffirm their opposition or perhaps limit the number of Variances to which they have opposition.

Mr. VanLuvanee stated this is a thirty acre site. They are proposing seven lots. The property is at the intersection of Lindenhurst and Woodside Roads. He stated the property is bisected by the pipeline, and there is a sanitary line which goes through the property to serve Dolington Estates. He stated two of the four Variances relate to connecting the lots to the existing sanitary sewer line. He provided tonight background information indicating that the Township had been involved in the location of the sewer line and the interceptor. He stated the sewer interceptor that serves Dolington Estates is located entirely within the wetland buffer. He stated at the time it was installed, the Zoning Ordinance regulations did not have wetland buffer requirements that they have today. In order to make any connection into that sewer main, they must encroach in the wetland buffer. He noted the Agreement provided tonight which indicates that Mr. Minehart would have the right to connect to the sewer main. He stated their proposal was to install a gravity line through the wetland buffer parallel to Mr. Minehart's force main and connect to the gravity sewer line. He stated they have an alternative by connecting to Mr. Minehart's force main, and if Mr. Zarko approves this, the first Variance would be eliminated. This would connect three new lots to Mr. Minehart's force main. If the calculations are not adequate, the alternatives are to either upgrade Mr. Minehart's force main which would involve an encroachment or a parallel gravity line which was their original plan. He stated there is a physical possibility of using grinder pumps on two lots and construct a small private force main through the pipeline to connect to the sewer line in Lindenhurst Road, but Mr. Zarko indicated that he was not in favor of this. Mr. VanLuvanee stated he spoke to Mr. Koopman who stated Mr. Zarko and Mr. Hoffmeister were not in favor of this option.

Mr. VanLuvanee stated the second Variance relates to the lot in the rear. He noted Wetlands Disturbance Plan #3 and stated they are requesting a minimal wetland buffer encroachment to make a gravity connection. Mr. Majewski suggested that they put a grinder pump in the house and pump back through the access easement with a force main up to Dolington Estates. Mr. Hoffmeister and Mr. Zarko were not in favor of this.

Mr. VanLuvanee stated Variance #3 is for the area on Woodside Road. He stated the lots are to be served with an extension of public water and PAWC has indicated that they prefer a connection in a specific direction. Mr. Majewski suggested an alternative way which would avoid going around the culvert. Mr. VanLuvanee stated the Township

made a similar application before the Zoning Hearing Board for Memorial Park. He stated they cannot control the way the Water Company tells them to extend the public water.

Mr. VanLuvanee stated the fourth Variance relates to the area adjacent to Memorial Park. He stated the Planning Commission has indicated they would rather see parallel driveways rather than a common driveway. He stated they did show them a common driveway where they would eliminate any wetland disturbance and reduce the wetland buffer disturbance. The Applicant feels a common driveway is reasonable although they understand why the Township may have a problem with this.

Mr. Day stated he did speak to the Water Company and they would prefer that they bring the water down the opposite side. Mr. Butrow stated they would still have to cross the stream in either case. Mr. VanLuvanee stated they do not feel they have the ability to control the Water Company.

Mr. Fazzalore asked if there would be any disturbance to the wetlands themselves. Mr. VanLuvanee stated there is some wetland disturbance with regard to Variance #1, Variance #3 and Variance #4.

Mr. Stainthorpe stated if Mr. Koopman and the engineer indicate that this is the only way they can do it, he would be in favor of all the Waivers. He would not be in favor of a shared driveway and would prefer that they avoid this. Mr. Fazzalore stated the Board should recall that during the development of Dolington Estates, Mr. Minehart was very cooperative.

Mr. VanLuvanee stated he feels these Variances are relatively minor and they are below what is permitted for lot number under the calculations.

Mr. Santarsiero stated he would prefer that they not have a shared driveway. He stated he is not concerned with the minimal encroachments they are describing. He stated he does have a concern with the driveway going out to Lindenhurst Road although this is not being considered this evening.

Mr. Fegley stated he would like them to mitigate any wetlands elsewhere on the property. Mr. VanLuvanee stated they could look into this. He stated they were trying to minimize clearing on the site and they might have to clear more trees to create more wetlands. He stated they may be able to take wetland buffer and turn it into wetlands. Mr. Fegley stated they could also allow them to do wetland mitigation on Memorial Park property, and Mr. VanLuvanee stated they could look into this as well.

Mr. Garton stated they could consider withdrawing their opposition subject to doing wetland mitigation either on or off-site.

Ms. Susanne Curran, 930 Piper Lane, stated they should notify potential purchasers that Memorial Park is adjacent to this property. Mr. Fazzalore stated this is part of the Disclosure Statement.

Mr. Santarsiero moved, Mr. Fazzalore seconded and it was unanimously carried that the Board withdraw its opposition subject to mitigating the wetlands either in the wetland buffer on site or elsewhere on the Memorial Park site to be determined between now and when the Zoning Hearing Board Hearing takes place.

APPROVAL OF EXTENSIONS FOR HOVNIANIAN BUILDERS FOR FIELDSTONE (#496N), LOWER MAKEFIELD TOWNSHIP FOR PATTERSON FARM, AND ELLIOTT BUILDERS FOR FLOWERS-MADNAY

Mr. Fazzalore moved, Mr. Santarsiero seconded and it was unanimously carried to grant the following Extensions:

Hovnianian Builders for Fieldstone, Edgewood Road (Plan #496N) to 7/21/05
Lower Makefield Township for Patterson Farm to 6/25/05
Elliott Builders for Flowers-Madnay, Washington Crossing Road to 6/20/05

DISCUSSION AND TABLING OF CERTIFICATE OF APPROPRIATENESS FOR 1679 EDGEWOOD ROAD (MESSICK PROPERTY)

Mr. Edward Murphy, attorney, and Mr. Chris Messick were present. Mr. Garton stated the Board of Supervisors has discussed this in the past and were advised that the Applicant was in discussion with Mr. Carter VanDyke. Tonight the issue is whether they will grant permission to demolish the structure. HARB has recommended that it not be demolished. Mr. Garton stated the Board of Supervisors has received the correspondence from Mr. VanDyke with respect to this matter.

Mr. Murphy stated they met with Mr. VanDyke on three occasions and met on the site. He noted the 3/3/05 memo from Mr. VanDyke which summarizes how he feels the structure should be considered going forward. He stated Mr. Messick is in agreement with the recommendations made by Mr. VanDyke including the documentation of the location of the property as it relates to Edgewood Road. He stated the survey has already been commissioned by Mr. Messick and will be provided to the Township when completed. Mr. VanDyke indicated he has some sketch plans depicting his ideas on how the site could be developed including the replication of the building in question but would not release these at this time.

Mr. Stainthorpe stated he does feel that this property is an eyesore and a safety problem; and as indicated by Mr. VanDyke, there is very little of historic value left of this property. Mr. Stainthorpe stated he would be in favor of taking it down with restrictions on what can be rebuilt at this location.

Mr. Murphy noted the four recommendations made by Mr. VanDyke. He stated the only problem he has is that he has indicated that a demolition permit should not be issued until a Plan is prepared. Mr. Murphy stated he is concerned that this could take some time and in the meantime this structure would still be there. He stated provided there is a written agreement to insure that Mr. VanDyke's recommendations are followed, he feels they should be permitted to take down the building. Mr. Stainthorpe noted Item #3 in Mr. VanDyke's memo which he feels is rather restrictive. Mr. Murphy stated this relates to the apartment on the second floor. Mr. Murphy stated Mr. Messick has indicated that if this is the desire of the Board of Supervisors after they look at the entire site plan, he would reluctantly agree. Mr. Garton stated they could record an easement similar to a façade or conservation easement compelling Mr. Messick to follow the recommendations. Ms. Langtry stated there is a big concern about parking in this District and anything that is developed would have to consider parking. She stated residential units are integral to the Plan. Mr. Stainthorpe stated there was a Sketch Plan for the site, and he feels it is unreasonable to restrict him on this building until they have determined the other uses on the site. Mr. Garton stated they could unrestrict this in the future once the Plan is available. Ms. Susanne Curran stated in developing some of these regulations it is typical in this type of development that residences be included in the upper stories of the buildings.

Ms. Helen Heinz stated her husband was unable to attend this evening but asked her to advise the Board that he disagrees with Mr. VanDyke's recommendations and feels the building should be under cover as it is continuing to deteriorate. He is concerned that if this structure is demolished and you consider the adjacent building which was demolished, they will have lost 12 ½% of the historic structures and this will jeopardize the designation. Mrs. Heinz stated Mr. Heinz feels that 50% of the structure could be salvaged.

Mr. Tony Islan, HARB, stated he feels they are setting a precedent and are allowing demolition by neglect. Mr. Stainthorpe asked if there is any way that when someone comes in and wants to develop, that they require a means test to determine if they have the financial ability to complete their project since this is how the problem began. Mr. Garton stated the Application before Mr. Messick became involved was just to repair the building. He stated they do not require anyone in the Township to post a bond when they are doing a repair. Mr. Stainthorpe asked if it could be a requirement in the Historic District. Mr. Stainthorpe asked that they look into whether this is legal to require this.

Mr. Santarsiero stated he is concerned about losing funding if, in fact, they lose the historic designation in the Village because a certain percentage of the structures were taken down. He asked if everything other than the façade of the building were replaced, would they still be okay as far as the historic status. Ms. Michelle Stambaugh stated she did call the PHMC and ask what percentage of the building they would have to retain to maintain Register status, and she was advised it would be 50% of the structure.

Mrs. Heinz stated there is wood siding under the vinyl siding and it is intact. The window openings are also intact. She stated it is crucial to get the building under cover.

Ms. Karen Iungerman, Historic Commission, stated this is the most important historic corner in Lower Makefield Township.

Ms. Rae Pinchuk, Historic Commission, stated she is concerned that they are allowing the treasured historic buildings to decay.

Mr. Fazzalore asked if they can save 50% of the structure, and Mr. Messick stated he does not feel they can. He stated they have a letter from their engineer as well as the letter from Mr. VanDyke in this regard.

Mrs. Heinz stated they had asked that this be looked at by an independent engineer. She noted Mr. VanDyke is not an engineer – he is a planner.

Mr. Murphy stated the Applicant did what was asked of them by the Board of Supervisors and met three times with Mr. VanDyke. Mr. Stainthorpe stated he felt that the Historic Commission was reluctantly in favor of them taking the building down according to Mr. VanDyke's letter. Ms. Langtry stated they did meet with Mr. VanDyke last week and once they saw the memo, they polled the Board and they got four votes permitting this provided they had an Agreement. Mr. Stainthorpe stated HARB is clearly opposed. Ms. Langtry stated she feels it is cloudy with regard to the 50% rule as it relates to the entire Village. She stated this building is 1/20th of the whole Village. Mrs. Heinz stated this is the second building to be taken down. Mr. Messick stated there are twenty-eight contributing and four non-contributing.

Ms. Curran stated the Historic Commission did not have a meeting. She stated the current owner of the building closed on it in August. She feels they have been rushed because there is not a plan. They do want there to be written agreements.

Mr. Fazzalore stated they denied a recent demolition request at Wilshire Glen; and he is concerned that if they allow this, those property owners will be in requesting demolition at a future meeting. Ms. Stambaugh noted that property does continue to be a problem as they are allowing the windows to be open.

Mr. Stainthorpe stated they have hired Mr. VanDyke as their consultant and have been working with him for years. Mr. Stainthorpe stated he feels they should take his advice. He stated he has been involved in the Plan of the Village from the beginning and provided they can properly secure what goes in there in the future, he feels they should permit them to take the building down.

Mr. Santarsiero stated he is supportive of developers who are coming in and trying to realize what the Township envisions for the Village and does not want to discourage him; however, his concern is that he is reluctant to make a decision on allowing him to demolish the building without having a better handle on what the repercussions would be on potential funding going forward. He stated most of this was done prior to Mr. Messick's purchase of the property; and he cannot be held accountable for that, but he has had it for six months and it has continued to deteriorate. He stated he feels they should have at least put on a better cover and tried to stop some of the deterioration, although he is not sure this would have made any difference.

Mrs. Heinz stated Mr. Heinz stated that should the Board decide to take it down, he would encourage them to require the developer to replace it in kind and that the developer retain as much as possible of the original fabric. He feels it should be a recorded demolition and that they salvage as much as possible to be reused on the site. Mr. Murphy stated this is what Mr. VanDyke has recommended. Mr. Heinz has also recommended that they get approval from HARB.

Mr. Stainthorpe stated he would prefer not putting this decision off since they frequently do this when it relates to historic structures and do not make decisions. He stated he feels if they want to move forward with the Village, they now have a developer who wants to do so; and he feels they should let him do this. Mr. Santarsiero stated he feels they should have an expert present at the next meeting who can tell them what the impact would be to the Historic designation if this building is taken down. He feels this can be done at the next meeting. Mr. Murphy stated he was discussing with Mr. Messick if there are public records available so that they can calculate the aggregate square footage of the contributing and non-contributing structures in the Village. Mr. Garton stated he feels a survey was done and they could get this information. Mrs. Heinz stated it is really not 50% - it is what the PHMC decides. She suggested that Mr. Marshall be contacted. Mr. Santarsiero suggested that they get the square footage and have Mr. Marshall come to the next meeting.

Mr. Fazzalore moved, Mr. Fegley seconded and it was unanimously carried to table.

APPROVE GRANTING CERTIFICATES OF APPROPRIATENESS

Mr. Fazzalore moved, Mr. Santarsiero seconded and it was unanimously carried to approve granting Certificate of Appropriateness for 635 Heacock Road (McCaffrey's) sign permit.

Mr. Fazzalore moved, Mr. Santarsiero seconded and it was unanimously carried to approve granting Certificate of Appropriateness for 1706-1712 Yardley-Langhorne Road (James & Elena Harris) re-roofing permit. Mr. Stainthorpe stated this was approved by HARB.

DENY REQUESTS FOR DEDICATION FOR ROLLING GREENE, PEAKE FARM, AND VALLEY GREEN

Mr. Fazzalore moved, Mr. Santarsiero seconded and it was unanimously carried to deny request for Dedication for Rolling Greene (a/k/a) Santosa Estates for the reasons set forth in the memo received by the Board of Supervisors.

Mr. Fazzalore moved, Mr. Santarsiero seconded and it was unanimously carried to deny request for Dedication for Peake Farm for the reasons set forth in the memo received by the Board of Supervisors.

Mr. Fazzalore moved, Mr. Santarsiero seconded and it was unanimously carried to deny request for Dedication for Valley Green for the reasons set forth in the memo received by the Board of Supervisors.

PUBLIC HEARING AND APPROVAL OF ORDINANCE NO. 348 – DELAWARE RIVER SOUTH WATERSHED STORMWATER MANAGEMENT, ORDINANCE NO. 349 – NESHAMINY CREEK WATERSHED STORMWATER MANAGEMENT

Mr. Garton stated these Ordinances have been advertised for consideration this evening.

Mr. Santarsiero moved and Mr. Fegley seconded to approve Ordinance No. 348 and Ordinance No. 349. There was no public comment, and the Motion carried unanimously.

APPROVAL OF RESOLUTION NO. 2076 ADOPTING THE FEE SCHEDULE RELATING TO STORMWATER MANAGEMENT ORDINANCES

Mr. Garton stated this is for the fees associated with the Ordinances just approved.

Mr. Fazzalore noted the Board did not receive a copy of the Fee Schedule and the fees were reviewed by Mr. Garton. Mr. Day stated the \$100 Application Fee is to cover the Township's administrative expenses. He stated \$1,000 for Building and Occupancy Permit is for engineer review and follow-up inspection. Mr. Garton stated these can be changed in the future if they are found to be inadequate. There was no public comment.

Mr. Fazzalore moved, Mr. Santarsiero seconded and it was unanimously carried to approve Resolution No. 2076 Adopting the Fee Schedule relating to Stormwater Management Ordinances.

DISCUSSION OF ELM LOWNE LIGHTING PROJECT AND AWARD OF BID

Mr. Fedorchak stated some months ago, the Township engineer presented a lighting plan for the Elm Lowne parking lot and general vicinity which was the result of the planning efforts of the Elm Lowne Committee. At that time it was revealed that there would be a number of poles required to properly light the lot. There would be three ten foot high poles and two would be fifteen feet high. The Board of Supervisors was surprised by this as they had felt that it was going to be low-level lighting. The reason for the poles is to throw as much light on the parking lot as possible. Mr. Fazzalore asked if this will take care of the path to the house, and Mr. Day stated it will. Mr. Fazzalore stated he was concerned that this would not be enough. Mr. Fedorchak stated they do have some lights on the garage between the parking lot and the house. Mr. Fedorchak stated they did put this out to bid in September and received a low bid of approximately \$18,500.

Mr. Majewski has gone back to the contractor to see if he will hold the price. Mr. Day stated he did talk to the contractor today and he indicated he can probably hold the price but wants to make sure the price of the poles has not changed. Mr. Fedorchak stated the budget for this was approximately \$20,000.

Mr. Fazzalore moved and Mr. Fegley seconded to award the bid to Callaghan Electrical Construction in the amount of \$18,542.

Mr. Tony Islan asked if this includes lights between the parking lot and the house. Mr. Santarsiero stated according to the Plan it looks as if based on the height and the power of the lights, that they will cover this. There are also existing lights. Mr. Islan was shown the Plan.

Motion carried unanimously.

DISCUSSION AND MOTION ON REDUCING THE 45 MILE PER HOUR SPEED
LIMIT ON STONY HILL ROAD FROM BIG OAK TO TOWNSHIP LINE ROAD

Mr. Fedorchak stated the staff feels that there are certain sections of the road that do not support a speed of 45 miles per hour. He stated if the Board is in favor of asking PennDOT to do a traffic study, they would ask them to concentrate on various sections of the roadway.

Mr. Santarsiero moved, Mr. Fazzalore seconded and it was unanimously carried to request PennDOT to do a traffic study with the end being to reduce the speed limit.

Mr. Fedorchak stated that Chief Coluzzi has provided them with accident information and Stony Hill Road has had the most accidents since 1999.

Mr. Santarsiero stated a number of residents have expressed concern with Stony Hill Road particularly in the area of Charlan Farms and by the culvert before you get to the Railroad tracks. He stated a number of residents have also expressed concern with the condition of Heacock Road particularly between the intersection with Stony Hill Road and where it hits Oxford Valley Road by the Railroad tracks. He stated it is in poor condition; and while it is a State road, he feels they need to do something to try to get the road resurfaced. He asked that they contact PennDOT about this. Mr. Fazzalore stated with regard to Stony Hill Road, he felt that there was an agreement made with PennDOT where the Township would agree to build the parking lot at I-95 and PennDOT would rebuild Stony Hill Road at no cost to the Township. Mr. Fedorchak stated he feels the issue was lighting at the Park and Ride. Mr. Fedorchak was asked to look into this.

ZONING HEARING BOARD MATTERS

It was agreed to leave to the Zoning Hearing Board the Thomas Mack Construction matter for property at 569 River Road who is appealing the determination of the Zoning Officer identifying him as a developer rather than a property owner thereby limiting impervious surface ratio to 10 percent rather than 13 percent.

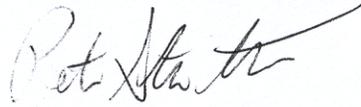
It was agreed to leave to the Zoning Hearing Board the Thomas Mack Variance request for the property located at 911 N. Pennsylvania for impervious surface requirements to permit construction of a detached garage.

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There being no further business, Mr. Santarsiero moved, Mr. Fazzalore seconded and it was unanimously carried to adjourn the meeting at 9:25 p.m.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Pete Stainthorpe", with a long, sweeping horizontal stroke extending to the right.

Pete Stainthorpe, Chairman