

TOWNSHIP OF LOWER MAKEFIELD
PLANNING COMMISSION
MINUTES – JANUARY 28, 2008

The regular meeting of the Planning Commission of the Township of Lower Makefield was held in the Municipal Building on January 28, 2008. Chairman Bush called the meeting to order at 7:35 p.m.

Those present:

Planning Commission: Tony Bush, Chairman
 Karen Friedman, Vice Chair
 Richard Cylinder, Secretary
 Dean Dickson, Member
 John Pazdera, Member

Others: Nancy Frick, Director Zoning, Inspection, and Planning
 John Donaghy, Township Solicitor
 James Majewski, Township Engineer
 Steve Santarsiero, Supervisor Liaison

APPROVAL OF MINUTES

Mr. Pazdera moved, Ms. Friedman seconded and it was unanimously carried to approve the Minutes of December 10, 2008 as written.

#581 – WOODSIDE PRESBYTERIAN CHURCH – PRELIMINARY/FINAL PLAN APPROVAL

Mr. Bruce Jones was present with Mike Buke, engineer. Mr. Jones stated they had received input from the various Boards in the Township, and then made significant revisions to the Plans. They have prepared an item-by-item response to comments made by various reviewing bodies on the Revised Plans.

Mr. Bush stated when they were previously before the Planning Commission they discussed the shared parking arrangement with their neighbor, and he asked how many parking spots this includes. Mr. Jones stated it is variable depending on the traffic at the neighboring facility. He stated normally they have eight to ten cars at most. They do park in the horseshoe in the front of that building and the Church also permits them to use the Church parking lot. He stated the Agreement they have allows them to use the parking and they will not terminate that Agreement. The Agreement is open ended and either party with thirty days notice can terminate the Agreement. The Agreement has been in effect for over eight years.

Mr. Cylinder stated he still does not like the idea of the parking at the entrance. He stated he would prefer not seeing any parking along the entrance drive. He stated he is not sure how they could eliminate this and still meet the Zoning regulations. Mr. Jones stated they did pull this back noting that presently they have parking right up to the edge of the road, and in this Plan they have come back almost three parking spaces in an effort to accommodate Mr. Cylinder's prior comments; but they did want to maintain the number of parking spaces particularly for times when there are peak events. Mr. Cylinder stated he also feels the parallel spaces are harder to get in and out of than are perpendicular spaces. Mr. Jones stated presently there is parallel parking on the west side of the driveway, and they have utilized this since the driveway was there. Mr. Cylinder stated while this is correct, they are now coming in with a new Plan.

Ms. Friedman asked about the lighting. She noted the January 17 CMX letter Item #8 which indicates the proposed lighting intensity appears to be in excess of the minimum lighting levels recommended by the Illuminating Engineering Society, and indicates the Applicant should reduce the lighting levels by reducing the number of fixtures. She noted the Church had responded that the lighting was configured to provide for one foot candle as minimum intensity over the majority of the parking area. She asked if there will be evening programs; and Mr. Jones stated there will, most starting at 7:00 p.m. and ending generally at 9:00 p.m.

Ms. Friedman asked if they have agreed to comply with the request for a historic look for the lighting in conjunction with the Edgewood Village concept; and Mr. Jones stated he did see this, but he is not sure what historical lighting would be. He stated the Church is proposing one foot candle over most of the area with 3.5 to 3.7 foot candles under the fixtures. He stated all of the lighting is on the interior of the property in the southwest corner, and there will be no roadside lighting on Heacock or Edgewood Roads.

Mr. Majewski stated he was concerned that the overall lighting will be a little bit bright for this area, and he has asked that they reduce the lighting levels by either shifting the poles, reducing the number of lights, or reducing the intensity of the lighting. He feels this would still provide for a safe lighting level. Mr. Cylinder asked if the height of the standards could be reduced along with the bulb size, and Mr. Majewski agreed that this would reduce the level of lighting as it spreads out. Mr. Jones stated he would like to know what "safe" lighting is as he would like to provide safe lighting before he considers historic lighting. He stated they are willing to make changes provided it is safe lighting. He stated they feel reducing the wattage may be the easiest solution, and they are receptive to this provided it is safe lighting.

Mr. Dickson noted the Bucks County Planning Commission review letter of 8/17/ 08 indicating the Township should insure that the Plan is consistent with recommendations included in the Edgewood Village Design Guidelines. He stated this would again pick up the issue of the type of light. He feels any lighting should adhere to these Guidelines.

Mr. Jones stated as they go through the review process, they will deal with that. Mr. Dickson stated he feels something should be included that addresses the wattage and the design.

Ms. Friedman asked if there is any indication what the Edgewood Village group would like to see, and Mr. Dickson stated he would recommend that they discuss this with Carter VanDyke, and Mr. Jones agreed to do so.

Mr. Cylinder asked what is to be planted in the detention basin. Mr. Buke responded that it will be grass lined and mowed. The infiltration basin has been shown on the Plan at the proposed location, and it will not be exposed stone.

Ms. Friedman asked about the existing lighting as to foot candles, and Mr. Buke stated it varies depending on the proximity to the fixture itself. He stated typically it is one foot candle, and closer to the fixture it gets up to 3 foot candles. Ms. Frick stated she has never had any complaints about lighting coming from the Church. Mr. Majewski stated he feels the lighting intensity proposed under the new Plan will be a lot brighter than that which exists currently which is why he is concerned. Mr. Majewski stated they need to meet the minimum for safety at the edge of the parking lot. He stated at the very edge a 2 or 2.4 foot candle is the minimum considered adequate for safety. Mr. Jones stated they are willing to consider changes in wattages, and will meet with Mr. VanDyke about this issue.

Mr. Dickson noted the comments from the Fire Protection Consultant indicated that the Pennsylvania American Water Company denied the Church a certain water feed to the property. Mr. Jones stated they did not feel there was sufficient capacity for that type of feed, and made recommendation for two other feeds. Mr. Jones stated these have been reviewed with their sprinkler system engineers and the water supply requirements for the building and an acceptable amount has been determined which they will accept from the Water Company. There was also discussion regarding the hydrants; and Mr. Jones stated only one is shown on the Land Development Plan, and he stated they would spot the other three hydrants. Mr. Dickson stated Mr. Yates did not recommend approval of this Plan stating a hydrant will be required in the area of the addition. Mr. Jones stated he discussed this matter with Mr. Majewski prior to the meeting this evening, and it does not appear that there is a Code requirement to provide this hydrant. Mr. Jones stated there are four hydrants that surround the property and he noted where these are located on the Plan. He stated since there are four hydrants within 500' of the building, he questions why he would need to put another one on the site. Mr. Dickson stated the Fire Marshall indicated that a fire hydrant will be required and asked if there is anything in the Code

which requires this. Mr. Majewski read the Code as follows: “Wherever central or public water supply serves a development, provisions shall be made for hydrants along streets or along the walls of non-residential structures as approved by the Township Fire Marshall in accordance with all prescribed State and County standards, and the standards contained in the Appendix of this Chapter.” Mr. Majewski stated it refers to Chapter 112 of the Township Code which just references the International Code Council which are the Township Codes so he is unsure as to what this all means.

Mr. Majewski stated if the Church does not agree with the Fire Marshall, they would have to request a Waiver. Mr. Majewski asked if the building was going to be sprinklered, and Mr. Jones stated it will be; and they will also sprinkler the entire building as part of this addition since currently none of the buildings are sprinklered.

Mr. Dickson stated it does not appear that they are in violation of the Code as there is nothing that indicates there needs to be a hydrant within a certain number of feet; and Ms. Frick stated it does indicate that they have to get approval from the Fire Marshall. Ms. Frick asked if they have had a discussion with the Fire Marshall indicating that the building will be sprinklered, and Mr. Jones stated he has not.

Mr. Bush stated he is also concerned that there is parking nine to twelve feet from the building, and they have asked for a Waiver to permit this. He is not sure if this causes an issue as to fire safety with sufficient room between the building and the parking. Mr. Majewski stated they have discussed this issue with Mr. Habgood, the Township Code Enforcement Officer who is also a volunteer firefighter; and he indicated that generally they do not set up within 20’ of the building and typically set up further away so this would not be an obstacle.

Mr. Pazdera asked if they have discussed with the traffic engineers, the fact that they do not agree with their traffic impact fee assessment; and Mr. Jones stated he did have a discussion with the engineer who issued the report who indicated that this was his application of what the standards say but agreed they are open to interpretation; and the Church should discuss this with the Supervisors. Mr. Jones stated the Church’s position is noted in their comments that during the peak hour times, which is what the calculation is based on, the Church’s traffic will not be increased; and in fact the Church’s traffic will only increase in the evening and the weekends specifically Sunday. The traffic engineer also did their calculations off the entire expanse of the addition which is a little over 15,000 square feet, and they are taking down over 4,000 square feet.

Mr. Jones stated when they last met with the Planning Commission they had asked that assuming there were no major issues left to resolve, that the approval be considered a Preliminary/Final Approval. He stated they would request this based on the Conditions that they would resolve the hydrant issue with Mr. Yates and the lighting issue with Mr. VanDyke. Mr. Cylinder asked if the Planning Commission has enough information

for a Final Approval, and Mr. Donaghy stated Mr. Majewski indicated that he had not reviewed it as a Final Plan as it was submitted as a Preliminary Plan. Ms. Frick also indicated that the information was sent out to the other reviewing agencies as a Preliminary Plan. Mr. Majewski stated the requirements for a Final Plan are that they comply with the Conditions of Preliminary Approval so there are no extra hurdles other than if they need PennDOT approval, which they do not require for this Plan. He stated they also would need to have the proper Recording Notes to Record the Plan at the County Office which he feels they already have on the Plans. Mr. Donaghy stated if the Planning Commission is satisfied that they have met all the requirements for Preliminary/Final Plan, they could recommend this to the Board of Supervisors.

Mr. Donaghy stated there is also the issue of whether they will comply with the Traffic Impact Fee calculations, and Ms. Friedman stated this would be a decision for the Board of Supervisors. Mr. Donaghy asked if the Church is prepared to comply with the Traffic Impact Fee requirements as stated in the Ordinance or are they questioning whether or not the fee as calculated was in accordance with the provision of the Ordinance. Mr. Jones stated he is unsure about this, and he also does not feel the traffic engineer was too sure about this either in responding to Mr. Jones' questions. Mr. Donaghy asked if the result is that the traffic engineer did act in accordance with the requirements of the Ordinance, is the Church prepared to pay that fee. Mr. Jones stated if the Ordinance indicates that a fee is required as a result of a proper calculation, they would be willing to pay this, but at this point they are not sure that it was calculated appropriately.

Ms. Friedman stated she feels the Planning Commission has extensively reviewed this project, and the items that are still open are not within the Planning Commission's scope.

Mr. Dickson moved and Ms. Friedman seconded to recommend to the Board of Supervisors approval of the Plans dated 6/15/07, last revised 10/12/07 with the Condition that the Applicant consult with Carter VanDyke concerning the lighting as noted in the Edgewood Village Historic District Overlay and that the lighting is satisfactory to the Township engineer. It is also recommended that the Applicant reach agreement with the Township Fire Marshall concerning the lack of placement of fire hydrants. Also conditioned on compliance with the comments in the CMX letter dated 1/17/08 and the Traffic Planning & Design letter dated 12/31/07. The Planning Commission recommends that the Board of Supervisors consider this as a Preliminary/Final Plan and recommends approval of the Waivers requested.

Ms. Michelle Stambaugh, stated the Historic Commission briefly met over a year ago with the Church under the parameters of the traffic study in relation to moving forward on Edgewood Village. She requested that the Church continue to work with the Historic Commission and HARB since this is the gateway to Edgewood Village. She stated they have not yet reviewed any architectural designs. Mr. Bush asked if the Overlay District and HARB review impact the Church's proposal. Mr. Majewski stated the Church parcel

is in the Overlay District; however this Application came in before the implementation of the Overlay District, and the Church is not asking to comply with the Overlay District Ordinance regulations. Ms. Frick stated when they come in for a Building Permit, they will have to apply for a Certificate of Appropriateness. Mr. Donaghy stated this would relate to the building itself. Ms. Stambaugh stated they are interested in discussing the lighting design and the architecture which would come under the Certificate of Appropriateness. Ms. Stambaugh stated they have not seen any final drawings. Mr. Jones stated they have been before both Boards in the past; and when they get a set of exterior Plans, they will provide both Boards with a copy, and meet with them if they so desire.

Motion carried unanimously.

#404-B – FLORAL VALE PHASE III REVISED FINAL PLAN DISCUSSION

Jeffrey Garton, attorney, was present with Jodi Litus, engineer, and Mr. Bob Riviezzo. Mr. Riviezzo presented a Plan of what was originally approved in 1990. Mr. Garton stated they are before the Planning Commission with an Amended Final Plan since Floral Vale was an extensive project, and this is the last phase. Mr. Riviezzo stated they are now proposing a smaller building, and this will then enable them to build two rain gardens to collect the roof drains. They have also eliminated a road in the rear to provide for more green area. They are also proposing three large underground basins that will be for recharge.

Mr. Garton asked Mr. Riviezzo to discuss the LEED Certification process they are undertaking, and Mr. Riviezzo stated the building will be a LEED building, and they are striving for Gold Certification. He stated LEED was not a consideration in 1990.

Mr. Garton stated there will be 3,000 square feet less of office space than there was in the original plan and there are two vegetated swales designed for water quality which were not in the original plan.

Mr. Cylinder asked if they meet the height requirements, and Mr. Garton stated at the time of the Approval it was 50' or four stories; and that is what is currently proposed. He stated the Ordinance in effect when this was originally approved did not have a restriction about mechanicals on the roof. He stated the current Ordinance provides for 50' and mechanicals on top of the roof, and the Plan is consistent with the current Ordinance. Ms. Friedman asked if there are any other four-story buildings in the Township, and Mr. Majewski stated to his knowledge, the highest are three stories.

Ms Friedman asked if there are any time limits as to Plans being approved and actually being implemented. Mr. Garton stated there are no restrictions as they have completed all the public improvements which gives them the right to continue with the development. He stated if they had not completed the public improvements, they would be bound to any changes. Mr. Donaghy agreed.

Mr. Garton noted the CMX letter dated 1/21/08. He stated they will comply with the first part of Item #1 and they have already discussed the issue with regard to height.

With regard to Item #2 which relates to parking spaces Mr. Garton stated there was an Agreement reached by the Township and the then developer, called a Stipulation and Agreement dated 3/21/90, which required that there be a certain number of spaces for the entire Floral Vale Project, and the requirement was for five per thousand. Mr. Garton stated when considering parking spaces, they need to consider the entire Floral Vale Development and not just this one piece of it. He stated they cannot reduce the number of spaces, but they could put in reserve status at least 40 spaces if the Township is in agreement with this. This would then reduce some of the impervious surface.

Mr. Garton stated the Applicant does not feel they will ever need those spaces.

Ms. Friedman asked the maximum number of spaces they could put in reserve, and Mr. Majewski stated the current Ordinance states you can reserve 20%. Mr. Garton stated they were only responding to Mr. Majewski's suggestions that they put some parking in reserve; but if the Planning Commission is not in favor of this, they would not do so. Ms. Friedman stated she is in favor of putting some spaces in reserve, and would in fact like to put more in reserve if possible. Mr. Majewski stated if they were to maximize the number of reserve spaces, they could reserve approximately 80.

Mr. Garton stated that number would be for the entire Floral Vale site, so it would be difficult for that 80 to be reserved just in this portion.

Mr. Garton stated they will comply with Item #3 with regard to the handicap spaces. He stated they also have a Plan that would put those spaces right next to the building, except where the slope would prohibit this.

Mr. Garton stated they will comply with Item #4. There was no Item #5 or #6 listed in the memo.

Item #7 was noted, and Mr. Garton stated there is already a gravel emergency access that was approved as part of the original Plan, and they will modify this to have it be eco-blocks as opposed to gravel. The bollards will remain, and there will be a plastic link chain across. If the Township desires signage, they would do this as well.

Item #8 was noted, and Mr. Majewski has suggested that they reduce the width of the driveway aisle. Mr. Garton stated this is a concern because they would then have to re-design the entire Plan because of grading, etc. Mr. Majewski stated he has a concern

with the 29' driveway aisle which he feels will encourage speeding and results in a lot of impervious surface. He would recommend going to a 25' aisle. Mr. Cylinder asked if the driveway aisle could be pervious, and Mr. Majewski stated this is not appropriate for a driveway aisle. Mr. Garton stated the approved Plans called for 29'. Mr. Majewski stated he feels reducing this would help reduce impervious surface throughout the site and address concerns raised by the EAC. Mr. Garton agreed to come back to this issue.

Mr. Cylinder asked if they anticipate these could be medical offices, and Mr. Garton stated the Stipulation and Agreement dealt with medical offices; and because the parking was five per thousand, they can have medical offices in Floral Vale. There is a certain allowable percentage that Ms. Frick keeps track of.

Item #9 was noted, and Mr. Garton stated they will comply with this item.

Item #10 was noted with regard to pedestrian crosswalks and refuge islands, and Mr. Garton stated this was not required in the original Approval and would result in their losing parking spaces. He stated they must meet the requirements of the Settlement Stipulation Agreement with regard to parking.

Mr. Garton stated they will comply with Item #11.

Item #12 was noted, and Mr. Garton stated the stormwater facilities will be owned and maintained by the Association.

Item #13 was noted, and Mr. Garton stated they recently received the report from the Pennsylvania American Water Company that had the results of some testing which confirmed that they have sufficient volume. He stated the buildings are sprinklered, and they meet the criteria. The date of this letter is 1/28/08.

It was noted there are no Items #14 - #22 in the 1/21/08 CMX letter. Mr. Garton stated they will comply with Item #23.

With regard to Items #24 and #25, Mr. Garton stated they have received written confirmation from Mr. Majewski's office dated 1/25/08 indicating they have met those requirements.

Item #26 was noted, and Mr. Garton stated this is not applicable since none of their improvements are in the PennDOT right-of-way.

Mr. Garton stated they will comply with Item #27.

Item #28 lists the reviews required, and Mr. Garton stated Bucks County Conservation District adequacy letter on soil and erosion control has been received. He stated there was also an e-mail today indicating that they will be getting their NPDES letter shortly and it has been approved. He stated there is no need from PennDOT for a Highway Occupancy Permit as there are no new curb cuts and the emergency access was previously approved. The Remington, Vernick & Beach letter dated 12/17/07 was noted, and Mr. Garton stated they will comply with all items. Per their conversation with Mr. Hoffmeister, there is no need for further planning modules. Mr. Garton stated they will comply with the requests of the Disabled Persons Advisory Council. They will also comply with the Police Department letter dated 11/20/07.

Mr. Garton stated there are no additional traffic fees due because at the time of the original approval the developer paid for all the improvements to Township Line Road and basically built the road.

Mr. Dickson referred back to Item #8 with regard to the road width of 29' which was approved in 1990. Mr. Dickson also noted Item #10 which Mr. Garton indicated was not applicable in 1990. Mr. Dickson asked Mr. Donaghy since this is a Revised Final Plan, can the Township ask them to do something now that was not required in 1990. Mr. Donaghy stated while they can ask them to do this, to the extent that it was previously approved under the terms of the Ordinance and because they put in the site improvements, it means that the Township cannot now impose subsequently-adopted revisions to the Ordinance. He stated if there was something that was required at the time which was missed, they may be able to impose it; but they could not require it because there was a change in the Ordinance. He stated possibly an argument could be made as to health, safety, and welfare.

Mr. Majewski stated he does not feel 29' was the requirement for the width at that time and feels it was 24' to 25', and he is not sure why they exceeded it. Mr. Donaghy stated he does not feel exceeding it would have been a violation. Mr. Majewski stated he does not see any reason to spend more money and pave more of the area. Mr. Garton stated their concern is that making changes to the aisle width will have other consequences. Mr. Litus stated the way the site was laid out and approved it already has set curbs along the western side. He also noted on the Plan the location of existing hydrants in the bump outs which could not be moved. He stated the curbs are also set at a certain elevation; and in order to get the run off to flow properly and into the detention basins, they need to maintain the existing grading. They would also not be able to obtain the underground recharge which has been designed. Mr. Majewski stated he feels they could overcome this except in one area along the property line where the buildings are. He noted there are areas where there are not existing curbs or hydrants where they could reduce it down. Mr. Litus noted how the property slopes and stated there could be grading issues which would impact water run off. Mr. Cylinder stated he feels Mr. Majewski is referring to the areas on either side of the building particularly the area on the left. Mr. Litus stated they

did discuss putting parking in reserve which would take up an area he showed on the Plan.

Mr. Pazdera noted the area in the back along I-95, and stated if they were to pull this parking down four feet, it would eliminate a lot of paving. Mr. Litus stated he would have to re-size the detention basin and he is limited because of the infiltration area. He showed on the Plan an area which he had to avoid because there is a rapid infiltration area. He noted another area where water would go which would overload the basin in that area and it would not help the situation. Mr. Pazdera stated they would be able to reduce the size of the basin by eliminating 2,000 square feet of paving in the rear.

Mr. Riviezzo stated they did look at this again to try to accommodate Mr. Majewski's request. Mr. Majewski asked if they would be willing to work with him to see if they can reduce it to the maximum extent that is practical, and Mr. Riviezzo stated they would be willing to continue to talk about this. Mr. Litus stated there is 1600 square feet less impervious surface than was proposed in 1990 because the reserve parking will not be constructed. Ms. Friedman stated those spaces may be installed in the future, and the Planning Commission is trying to address the issue up front.

Mr. Pazdera stated the other issue is the safety of the wide drive aisle. He stated he is a renter in Floral Vale and people are currently racing through the area; and with this long wide run, he is concerned with the speed cars will be traveling. He stated if they reduce the width of the aisles as much as possible, it does slow drivers down. Mr. Litus stated they could also put up more stop signs.

Mr. Majewski stated if it is determined after working together that it is not practical, he would not have a problem with the Plan as presented. Mr. Garton stated they will agree to work with Mr. Majewski to try to reduce the impervious surface.

Mr. Cylinder stated he visits Floral Vale occasionally and finds that they could use more signage at the Circle. He stated by adding this new building, there will be even more traffic. He stated he has observed people going around the circle more than once because they are unsure which exit to take. Mr. Garton stated they will discuss the signage with the Association.

Ms. Friedman asked how many parking spaces they are looking to hold in reserve, and Mr. Garton stated they are looking to hold forty at this time. Mr. Cylinder asked who would be responsible for installing these in the future; and Mr. Garton stated this is a separate condominium unit, so the owner of the unit will be required, pursuant to the Township Ordinances, to do this. It is a site condominium.

Mr. Bush stated the Planning Commission is concerned about the potential development in this area including Edgewood Village, the proposed hospital, and the Capstone development and the impact these projects will have on traffic in the area. Mr. Dickson stated he feels they will have to do a traffic evaluation for all of this potential traffic at some point. Mr. Garton stated Capstone will be presented shortly, and they will have an obligation to comply with the Traffic Impact Fee Ordinance. He stated in the instance of the Floral Vale project being discussed this evening, the compliance already occurred because Township Line Road was constructed by Floral Vale.

Ms. Friedman asked if they will go to the Environmental Advisory Council, and Mr. Garton stated they have been there and some EAC members have been on the site. He stated the EAC was happy with the rain gardens and detention facilities. Mr. Majewski stated Mr. Bray indicated that they will send out their formal letter tomorrow. He stated they do have a number of comments and questions that they would like addressed.

Mr. Dickson stated he is concerned that this Plan was approved in 1990, and they are now changing the footprint of the building. Mr. Majewski stated this is why they had to come back before the Planning Commission. Mr. Donaghy stated if they were looking to increase the size of the building, change uses, or make substantial changes, the developer might not have the same protections.

Mr. Cylinder asked if this is the last Subdivision/Land Development that they anticipate to come in with on this site, and Mr. Garton stated for Floral Vale this is the end of the project. Mr. Cylinder stated when the Plan came before the Township in 1990, he was on the Park & Recreation Board, and there had been discussion about the possibility of a convenience store. Mr. Garton stated the Settlement Agreement states that there is no retail market permitted.

Mr. Bush stated the Planning Commission would first like to see what the EAC states in their letter and how some of the other issues can be resolved with Mr. Majewski before they make a recommendation. Ms. Frick stated she feels they will need an Extension if the Plans need to be revised. Mr. Garton stated he would like to come back to the Planning Commission on February 11 following receipt of the EAC letter and working with Mr. Majewski. Mr. Donaghy stated the Planning Commission should understand that at this point there is not a proposal to revise the Plans prior to coming back before the Planning Commission, and they will only be coming back with recommendations as to what the revisions would or would not be.

Mr. George Luciani, Floral Vale Professional Park, stated their concern is the parking and access/egress from the Park as they have not seen the plans. Mr. Garton stated the Plans are the same as previously, except that the building has been changed. He agreed to provide a copy of the Plan to Mr. Luciani. Mr. Garton stated there is only an emergency

access to Yardley-Langhorne Road. He stated all other ingress and egress is the same as originally proposed. Mr. Luciani stated the building would be part of the professional association, and they have been paying dues all along.

**#586-A – METRO PCS – CONDITIONAL USE APPLICATION
STONY HILL ROAD – T.P.N. 20-16-41-5**

Mr. Chris Shubert, attorney for the Applicant, was present with Mr. Mike Sims on behalf of Metro PCS. Mr. Shubert stated this in an existing cell tower on Newtown-Yardley Road. It is a 120' foot tower with existing providers. This Applicant proposes to install its antennas at 96'. They are proposing six panel-style antennas similar to what is existing. They also propose two radio equipment cabinets to be placed at the bottom of the monopole in the compound on a 10' by 16' concrete pad. The cabinets are 5' high, 4' wide, and approximately 2.5' in depth. He stated they have received the CMX letter of 1/21/08, and they will comply with all items.

Mr. Pazdera moved, Mr. Dickson seconded and it was unanimously carried to recommend approval of the Conditional Use Application for Tax Parcel #20-16-41-5 Plans dated 11/16/07, last revised 11/30/07 subject to compliance with the CMX letter of 1/21/08.

**#587 – A – METRO PCS – CONDITIONAL USE APPLICATION WOODSIDE ROAD
T.P.N. 20-17-47-1**

Mr. Shubert stated this is an existing tower on property owned by the Township. They propose the installation of the same type of antenna as discussed for the last Application to be installed at the top of the tower at 225' with a similar installation at the bottom of the tower to be two radio equipment cabinets with the possibility of one in the future on a 10' by 16' concrete pad. Mr. Shubert stated they have received the 1/21/08 CMX review letter, and they will comply with all comments. It was noted the third cabinet if necessary would fit on the pad that they are installing at this time.

Ms. Friedman moved, Mr. Dickson seconded and it was unanimously carried to recommend approval of the Conditional Use Application for Tax Parcel #20-17-47-1 Plans dated 11/16/07, last revised 11/30/07 subject to compliance with the CMX letter dated 1/21/08.

OTHER BUSINESS

Mr. Dickson noted the e-mail regarding the Makefield Elementary School. He stated he feels the EAC has seen Plans. Mr. Pazdera stated he and Mr. Cylinder attended the walk-through, and they are intending to come in soon. Mr. Bush stated he has been advised that they anticipate beginning construction in June. Mr. Majewski stated he understands that they do intend to submit Preliminary Plans.

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

Respectfully Submitted,

Richard Cylinder, Secretary