TOWNSHIP OF LOWER MAKEFIELD
PLANNING COMMISSION
MINUTES – FEBRUARY 28, 2011

The regular meeting of the Planning Commission of the Township of Lower Makefield was held in the Municipal Building on February 28, 2011. Chairman Fried called the meeting to order at 7:40 p.m.

Those present:

Planning Commission:	Mark Fried, Chairman Dean Dickson, Vice Chairman Tony Bush, Secretary Karen Friedman, Member
Others:	Nancy Frick, Director Zoning, Inspection, & Planning John Donaghy, Township Solicitor James Majewski, Township Engineer Ron Smith, Supervisor Liaison
Absent:	John Pazdera, Planning Commission Member

#607 – PATTERSON FARM – PRELIMINARY/FINAL MINOR SUBDIVISION/ LOT CONSOLIDATION PLAN DISCUSSION AND MOTION

Mr. Majewski stated the Township was looking into subdividing the Patterson Farm to take out the Satterthwaite farmstead from the property for a potential sale to a buyer. He showed the location of the property on the Patterson Farm on an aerial map. He stated the Patterson Farm contains 226 acres of land and is primarily farmland with approximately 19 acres of woodlands. Mr. Majewski stated approximately eight years ago the State condemned part of the property to build the new loop ramp off of I-95. He stated the aerial photo being shown is from 2005 which is when they started doing work for the loop ramp.

Mr. Majewski stated the Township is proposing to subdivide off 5.14 acres. The property contains the existing white house which can be seen from Mirror Lake Road and a large barn which had work done on it approximately one year ago to repair some structural damage. He stated the property also has a corn crib, a tractor/wagon shed, a garage, and another building. He stated the property dimensions are 200' of frontage on Mirror Lake Road, and the property goes back for 200' and widens to 400'. He stated the dimension on the longer end of the property is 400'.

Mr. Majewski stated the Patterson Farm does contain another set of houses and farm buildings known as the Patterson/Brown farmstead. This contains the existing stone house that the Artists of Yardley are currently operating out of. There is also a cottage house on the property, a large barn, a large machine shop/garage, a corn crib, a hay barn, and two other garages; so that even after the Subdivision, the overall farmland remaining will still have a full complement of farm buildings to be able to service the use of the farm.

Mr. Majewski stated both sets of farmsteads on the property are eligible for listing on the National Register of Historic Places; and this was determined when they were doing the work for the I-95 loop ramp, as one of the responsibilities the State had was to identify historic resources in the area where they were doing the work. He stated currently the Township has not pursued getting the properties listed.

Mr. Majewski stated there are also several smaller parcels of land that were remnants of other pieces of land when I-95 was put through in the early 1970s that were cut off from the other side of the road. He stated they propose to consolidate those lots into the one remaining big lot with the other lot being the lot to potentially be sold off.

Mr. Majewski stated several Waivers that will be needed have been identified. He stated they are requesting these Waivers since they are not proposing any construction on the property, and there will be no earth disturbance. He stated they are just parceling off this five acre piece of land surrounding the Satterthwaite farmstead for potential sale.

Mr. Majewski stated one of the Waivers requested is the requirement to show location of wells, septic systems, and other similar systems within 200' of the property since they are not doing any work that would impact these and because all of the properties that are along Mirror Lake Road that are in the vicinity of the lot to be subdivided are on public sewer and water with one possible exception.

Mr. Majewski stated they are also requesting a Wavier that the Plans show all large trees standing alone on the property. He stated there are a number of trees on the site, and it would be cost prohibitive for the Township to go out and locate every tree. He stated in the future if any work is done the Township would catalog those trees and make every effort to preserve trees that are worthy of preservation.

Mr. Majewski stated a Waiver is also needed from SALDO in order to prepare the Plan at a scale of 1" equals 200'. He stated the Ordinance requires the Plan be at 1" equals 100', and this would require that the Plan be cut into three sheets of paper which would be difficult to read and understand.

Mr. Majewski stated the Ordinance also requires that contours be shown on the property on the basis of the topography. He stated since they are not proposing to do any work on this property, they are requesting a Waiver from that Section of the Ordinance.

Mr. Majewski stated a letter was obtained from the Bucks County Planning Commission dated 2/17/11 regarding this project. He stated Comment #1 indicated that the requested Waivers should have justifications for them provided, and he has just commented on this. He stated Comment #2 requested that the isolation distance between the property line and the on-lot sewage system be shown on the Plans. He stated there is a minimum distance of 10' that a sewage system has to be from a property line, and the proposed Subdivision lines that are shown on the Plan do meet those requirements as the line is approximately 15' off of the cesspool on the property. Mr. Majewski stated the other comment they had was with regard to the historic structures on the property, and they are encouraging the Township officials to make efforts to insure that the historic character of the structures will be maintained and their exterior appearance preserved in tact in the future in the event of ownership transfer. Mr. Majewski stated the Township solicitor is currently working on this in advance of a potential sale looking into what Conditions would be put on the property to insure that the historic integrity is maintained and the Township is properly protected.

Mr. Dickson stated he has been reading in the paper that the Subdivision is economically driven, and it appears as if there is a belief that the continued integrity of these subdivisions will be a financial drain on the Township. Mr. Majewski stated this is the primary reason for trying to subdivide off the Satterthwaite parcel. He stated a Subdivision was proposed approximately five to six years ago where they proposed cutting out approximately a two acre parcel of land from the Farm. He stated this cut off several of the buildings that were on the farmstead in order to stay within the two acres. He stated over time some deterioration happened to the buildings, and a viable use has not been able to be found for the Satterthwaite House by the Township that would not require a substantial outlay of money in order to fix it up to be habitable for any kind of use. He stated the barn had some problems several years ago; and a section of the barn that had been added at a later date from the original barn had to be torn down, and the barn wall reconstructed because of the way the two roofs came together and it was structurally-unsound. Mr. Majewski stated the Township spent approximately $200,000 to fix the barn. He stated the Township also spent approximately $100,000 fixing the roof on the Satterthwaite House and painting the front side of the house. He stated it has been a considerable drain on the Township to keep these houses without a viable use for them.

Mr. Dickson asked the current condition of the Satterthwaite House in terms of its overall structural integrity. Mr. Majewski stated the problem is that there is structural damage inside that needs to be repaired. He distributed photographs this evening that show parts of the ceiling in the attic are gone. He stated there were several holes in the roof; and when the last tenant left the house, the Township went in and found that there was a wading pool in the attic to capture the rainwater that was leaking through the roof. He stated the Township had to repair that roof at a significant cost. Mr. Majewski stated there is also water damage in the house. He stated it is an older home that needs a lot of care that the Township cannot easily provide in a cost-effective manner.

Mr. Dickson stated in looking at the original strategic vision from 2007, the Heritage Conservancy said, "The Committee agreed to not even discuss the complete removal of the structures to create totally open space, although the selective demolition of problematic buildings was not considered to be beyond the realm of discussion." Mr. Dickson asked when do they consider the buildings themselves to be problematic. Mr. Majewski stated this is the point they are at now as the buildings are problematic and are in varying need of substantial repairs. He stated for the house itself to be usable by some entity or person it would require up to $500,000 to repair. He stated he has checked on these costs with several architects, particularly if they are to restore it in fashion that maintains some of the historic character on the inside, and $500,000 is not out of the question. Mr. Bush asked if this price is to restore it for public or private use; and Mr. Majewski stated he feels it was to restore it for some type of public use, and for private use, the price would be somewhat less but would still probably be approximately $400,000 or more.

Mr. Bush stated Mr. Majewski indicated that the Township solicitor was looking at different ways of preserving the historic character either by Deed Restriction or some other ways, and he asked for further information on this. Mr. Donaghy stated when you convey property, you can include such restrictions on the property as to future use that are enforceable by the grantor. He stated it may be that the restrictions could be such that someone would not want to buy it; but you can limit as to what can be done as to the use, etc. He stated in this case, the grantor would be the Township. Mr. Bush stated he does not believe that they have drafted exactly what the limitations would be.

Mr. Bush stated here has been some speculation of this being sold to an equine veterinarian, and he asked if there are ongoing negotiations. Mr. Smith stated Dr. Amy Benz is present this evening and is a potential purchaser of the property. He stated if this property were to be conveyed to Dr. Benz, he feels the property would be in great hands. He stated she has presented her vision to the Board of Supervisors for an equine hospital, and this would be consistent with a farm. He stated he does not feel this would be commercializing the property as some people have indicated, and it would keep the property as a farmstead which would not interfere with the aesthetics and would in fact improve it.

Mr. Majewski stated the property would have to go out to either an auction or a public bid. Mr. Donaghy agreed.

Ms. Friedman asked if the property would have to be zoned in a specific way to be run as an equine hospital. Mr. Donaghy stated he has not looked into this issue. Ms. Friedman stated she is concerned about the potential re-sale if it is zoned Commercial. Mr. Smith stated similar to the Elm Lowne parcel, they would have restrictions put in place that would be in place in the future as well. Mr. Donaghy stated any restrictions would not be superseded by Zoning.

Ms. Friedman asked about the plans for the rest of the property, and asked if they will eventually parcel this off as well. Mr. Smith stated he feels it will remain as is. Mr. Majewski stated the plan is for it to remain as farmland provided it is viable in the foreseeable future. Ms. Friedman stated she is concerned that tomorrow could be the "foreseeable future."

Mr. Bush stated he was part of the Patterson Farm Stakeholders Committee, and they looked at this issue four years ago; and at the time, it became evident that when the Township purchased the property in 1998, there was little protection for the land. He stated there was a life estate given to the Pattersons; but after they were no longer alive, the Farm was no longer required to be preserved as a farm. He stated a portion of the Farm did become preserved when PennDOT took land for the exit ramp, but the majority of the farmland is not preserved. He stated the Supervisors have stated that they are not going to develop it, but it is not preserved as of today. Mr. Majewski stated there is a seventy-one acre easement for Bucks County Open Space as the Township did receive money from Bucks County to help with the purchase price of the property, and they restricted seventy-one acres. He stated the restriction states that the "funds shall be used for wildlife refuge sanctuary, open space, agricultural, recreational, historical, cultural, or natural resource conservation purposes." Mr. Bush stated this is correct; but four years ago, there was a recommendation that the Township preserve the overwhelming majority of the property either by deed restriction or selling the agricultural rights to the County if possible, and it was determined that this was not possible as that program no longer had funds available. He stated the majority of the Farm is therefore not preserved as a farm. Mr. Bush stated the sitting Board has indicated that they would not develop it, but a future Board could have a different viewpoint.

Mr. Fried stated he is concerned with doing this piecemeal; and without having an overall plan that is fairly stable, it is difficult to start dividing things up and talking about selling one part of the property. He asked if there are any thoughts to putting something together as the process goes forward for the rest of the acreage. Mr. Majewski stated the Committee did investigate selling the rest of the development rights to the County,

but the County was not interested; and since the Township already owned it, the County felt that there were other valuable properties that were in private hands that could be preserved, and that the Township could preserve the rest if they so chose. He stated the plan now is to keep the remainder of the property as a farm, but also find a use for the Brown house on the farm; and it is currently being used by the Artists of Yardley. He stated the other buildings could remain as farm buildings as they are currently being used.

Mr. Friedman asked who in the Township would be responsible for putting a more definitive plan together for the Farm as a whole. Mr. Smith stated several years ago there was a group formed as noted by Mr. Bush, and they discussed many ideas. Mr. Smith stated one of his own proposals was to convey the farmlands to Farmland Preservation, but this was not approved by a majority of the Board of Supervisors. He stated some of the Supervisors felt that this would take revenue away from the Township from renting the lands out for farming. Mr. Smith stated there was also a proposal to turn part of the property into a "Living Farm" similar to the Howell Living Farm in New Jersey; however, they found that this was cost-prohibitive. He stated the County in New Jersey subsidizes the Howell Living Farm, and the Township was not in a position to be able to subsidize this as it would cost a substantial amount of money.

Mr. Smith stated this property was purchased by the Board of Supervisors; and while it was a wonderful purchase, they did not have a plan for the property. He stated several years ago the Board of Supervisors formed the Patterson Farm Stakeholders Committee which did come up with some ideas. He stated they have followed up on some of the ideas, and he noted particularly the work that the Artists of Yardley have done with the property. He stated the Satterthwaite House, however, is an "eyesore." He stated the Township was only able to afford to properly paint one side of that house. He stated now they have an opportunity to parcel out this part of the property but not touch the other parts of the property which will remain as is. He stated the Board feels that the Satterthwaite parcel is a drain on the Township revenues. He stated there are also some Board members who do not feel the Township should be in the business of owning historical properties especially during these bad economic times. Mr. Smith stated they are hoping that someone will come forward with a Plan to purchase the property and not negatively impact the Patterson Farm which is the "gateway to the community."
Mr. Smith stated he feels the balance of the farmlands should be conveyed to Farmland Preservation to continue the work they have done in other areas of the Township.

Mr. Bush asked if there are any other discussions with other parties about selling other parcels or buildings, and Mr. Smith stated there are not. He stated the Township has leased some of the buildings on the main homestead to the Artists of Yardley and an individual artist. He stated they have done an excellent job, painting and putting in gardens at their own expense which he feels look wonderful inside and out.

Ms. Friedman asked why something similar could not be done with Satterthwaite where the community is brought in to bring the property up to proper living conditions. She stated she is concerned with selling the property now considering what may happen in the future as opposed to attempting to restore it, register it with the National Registry, and get any Grant funding available. She stated she feels it could then be rented out so it creates revenue as opposed to a one-time sale in desperate times. Mr. Smith stated the amount of money needed to bring it to a proper condition, is something that the Township cannot afford.

Mr. Bush asked the number of buildings on the property, and how many need funds put into them to get them to usable condition. Mr. Majewski stated there are nine buildings on the Brown farmstead adding that the Artists of Yardley have done a good job with some repairs that have saved the Township a significant amount of money. He stated there are a number of other buildings on that farmstead that need painting and minor repairs. Mr. Majewski stated on the Satterthwaite farmstead, the house needs extensive interior repairs. He stated while the outside of the house may be able to be painted through a community effort, he added there could be liability issues. Mr. Majewski stated the Satterthwaite barn has been stabilized. He stated the adjacent tractor shed needs work as the overhead part is sagging and some of the foundation walls need to be repaired. Mr. Bush stated the other buildings apart from the Satterthwaite farmstead do not need this same level of repairs, and Mr. Majewski agreed. He stated the Patterson family had lived in the other section and had kept up that part of the Farm a little better than the secondary set of buildings.

Ms. Friedman asked about the proposed asking price; and Mr. Smith stated there was an appraisal, but he did not recall the amount. Several people in the audience indicated it was between $250,000 and $300,000. Mr. Majewski stated a significant amount of money would have to be put into the house, and this will be a Condition of any sale.

Ms. Virginia Torbert, 1700 Yardley-Newtown Road, stated she lives directly across the street from the Patterson Farm. She stated she is also Chair of the Citizens Traffic Commission. Ms. Torbert stated she understands the frustration of the Board of Supervisors that a use has not been found for the Satterthwaite House. She stated she appreciates the economic pressures; however, she is present to urge the Planning Commission to disapprove this Application. She stated she feels the proposal is inconsistent with both the letter of the Comprehensive Plan for Lower Makefield and its spirit and purpose. She stated she also believes the proposal provides virtually no detail as to what will be there. She stated the Planning Commission is being asked to give approval to a "mystery Subdivision." Ms. Torbert stated she also believes that approval of the Plan could conceivably forever alter the character of the area and lead to the eventual dissolution of the Patterson Farm.

Ms. Torbert read from Sections of the Comprehensive Plan which she feels indicate that this proposal is completely inconsistent with the Comprehensive Plan. Ms. Torbert stated when the latest update to the Comprehensive Plan was done the process included a survey of Township residents; and in that survey, they found that 75% of the residents who responded favored protection of historic resources Township-wide.

Ms. Torbert stated the only concrete proposal that she is aware of is the veterinary hospital. She stated it is acknowledged by the Township that there is no guarantee of this, and the property must be sold to the highest bidder. She stated she feels the veterinary hospital use is only permitted in Commercial or Industrial Districts, and she does not find this encouraging. She stated she has reviewed the Ordinance, and she does not see a veterinary hospital as either a Special Exception or a Conditional Use in the R-1 District and only found it in C-1, C-2, and C-3 which are Commercial or Commercial/Industrial Districts. She stated the Planning Commission is being asked to approve a proposal that will likely require a Zoning change, and any Zoning change would have to be consistent with the Comprehensive Plan which this would not be.

Ms. Torbert stated the Township has declined to enact a Demolition by Neglect Ordinance, and the recent history of preventing demolition by neglect is not encouraging in the Township. She stated any Commercial use, even a veterinary hospital, will open this property up to further Commercial uses in an area that is intended to remain residential and agricultural. She stated one of the arguments against the Aria proposal is that it is out of character for that area. She stated the same could be said of Commercial uses on the Patterson Farm.

Ms. Torbert stated subdividing the Patterson Farm will require changes to the remaining acreage including construction of new roadways, possible changes to water courses, and possible loss of additional acreage. She stated the area proposed for Subdivision includes one of the main entrances/exits to the Farm. She stated she has heard that the Township may try to get a road out to 332 but she does not know how they would construct another roadway. She stated otherwise, they would be left with a one-lane road for all the uses – the agricultural use, the Art Center, etc. and everything would have to come in and out of one, one-way lane. She stated currently the Artists of Yardley are using the driveway that would be included in this as their exit. She stated when they have events, you go in on the road closest to the curve, and you come out on the other road. She stated she feels they would need a new roadway; and if they did a roadway out to 332, she feels PennDOT will require road widening and an accel/decel lane, and it will still be dangerous.

Ms. Torbert stated they have already lost some of the Patterson Farm to the loop ramp. Ms. Torbert stated if they do not commit now to truly preserving the Patterson Farm in its entirety, she questions why future decision makers would not bring it up further to suit their own needs at that time. She stated she feels that the current Board of Supervisors is committed to preserving the Farm, but they will not be in these positions forever; and she feels it is the role of the Planning Commission to plan for this. Ms. Torbert stated she was a member of the Patterson Farm Stakeholders Committee, and they urged the Township to permanently preserve the Farm; and they have declined to do so. She stated they were told to rely on the general assurance of good intent, but she would like the Planning Commission to send a message that they expect more.

Ms. Donna Doan stated she is a life-long resident of the area and grew up one mile from the Patterson Farm. She stated her father farmed with Mr. Patterson. She stated her grandparents lived in the Satterthwaite House. Ms. Doan stated she is the founder of the Patterson Farm Preservation.Com Website which is an informational Website. She stated she was also a participant in the Patterson Farm Stakeholders meetings. Ms. Doan stated she knows that it was important for the Pattersons to keep the farm in agricultural as this was their intent.

Ms. Doan stated this is not just a local issue. She stated last year the most popular agricultural newspaper in the Mid-Atlantic and Northeast region of the United State put this issue on the front page of their newspaper. She stated that newspaper will interview her after this evening's meeting as they want to do a follow-up story. She stated this is an excellent opportunity for Lower Makefield to make a commitment to farmland preservation. She stated she is pleased to hear Mr. Smith say that the land needs to go into Farmland Preservation so that it can stay a farm. She stated this is a very valuable resource; and to look at it only as to how much money they can get, which is minimal and less than what was invested, would be a mistake. She stated she feels the estimates to repair the house are high, although she does recognize that the house needs work. She stated she is restoring an 1880 Victorian house; and while it is expensive, $500,000 is outrageous.

Ms. Doan stated not all the damage that has been done to the house was done prior to the acquisition by the Township. She stated the Township knew that the roof on the house was leaking for seven years, and the Township Manager did nothing. She stated former Supervisor Godshalk and the Township Manager indicated that it was the responsibility of the tenant; and Ms. Doan stated she does not feel this is right and this was not proper management of a valuable asset. Ms. Doan stated her Aunt was a tenant of the house, and was told that the house would be restored so she had to move out. Ms. Doan stated that what the Township did not take into consideration was that while the rent was minimal, her Aunt kept the house heated in the winter. Ms. Doan stated

when she moved out, the Township let the oil burner run dry, the pipes froze, and damage occurred. She stated this is mismanagement, and there has not been a firm commitment to keep the property in the kind of order where it could be rented out.

Ms. Doan stated the Patterson House where Mrs. Patterson lived, sat empty for years. She stated the cottage was also empty. She stated she could manage the Farm better than the Board of Supervisors. She stated she knows that there are people who are ready, willing, and able to manage the Farm appropriately. She stated her father is the only living person who has absolute knowledge of this Farm, and he should be able to pass this knowledge down and set up the Farm so that it will be something the Township can be proud of. She stated the Supervisors do not want to do this, and the Township Manager has no interest in it. She stated they need to realize the magnitude of the gift that was given when the Pattersons allowed their Farm to be taken from them. She stated initially it was not their first thought to give this Farm to the Township. She stated they resisted, but the Township just persisted and she feels it was harassment. She does not feel they should waste what was given to the people and for future generations.

Ms. Doan discussed how Mr. Patterson would take care of the buildings and stated it has now been a dozen years and nothing has been painted so this is why it looks bad. She stated she feels it could be a magnificent farm again in five years.

Ms. Doan stated with regard to the farmlands, the United States Department of Agriculture came out to the property and did soil samples, and found that the soils were either Farmland of Statewide importance or "all areas are prime farmland." She stated Representative from Penn State came out and sampled soils and advised the Patterson Farm Committee that it was the pinnacle of farmland. She stated the highest and best use that the Farm could ever have would be the production of food. She stated they could heal horses at other places. She reviewed the history of the loss of farmland in the Country.

Ms. Doan stated Mr. Stewart currently rents the farmland, but he may not always be the farmer who wants to rent the land. She stated to make the Farm attractive to a future farmer, it would behoove the Township to provide a house, barns, machinery sheds, places to store crops, and places to work on machinery. She stated if they convert all the buildings to another use, this removes the possibility that a farm family could move into those homes. Ms. Doan stated the Farm started out as a 1000 acre parcel, they are down to less than 200 acres now, and it is completely possible that in 20 years the Farm will not be there.

Ms. Doan stated Mr. Patterson put the Farm into the Agricultural Security District, and there are restrictions on what can be done; and there is supposed to be State approval before any kind of access road goes through a farm field. She stated this is part of the Plan as there still has to be an access in and out. She stated it was noted in the Yardley News in 1997 that, "The land cannot simply be condemned for a highway; and if PennDOT, the Township, or the County wants to put a highway through Ag Security lands, they must do a study that conclusively demonstrates before the State Agricultural Condemnation Board that it is the only alternative." Ms. Doan stated she does not know if this was done for the I-95 loop.

Ms. Doan stated she feels there are many alternatives other than selling off the property. She stated they need every acre.

Ms. Doan stated since she launched the Patterson Farm Preservation Website, those who have left a comment were in favor of keeping the Farm in tact and in farming. She stated one individual suggested some possible uses including "Agra-tourism" where people can stay and experience a working farm which subsidizes the costs through tourism dollars. Ms. Doan stated she feels Satterthwaite could be a bed and breakfast.

Ms. Doan stated the Township took the Dalgewicz Farm and converted it into a Golf Course, and it has been two decades that they have been in Court against the Dalgewicz family. She noted the legal fees and costs associated with the "endless" Court battle. She stated the interest on the Settlement alone is $15,000 a month and this does not include the Settlement itself. She stated when the Township loses the battle with the Dalgewicz family, which they will since all the Appeals have been lost, the Township will have to come up with the money to pay the Dalgewicz family; and they will cash in on the Patterson Farm. She stated she feels the Patterson Farm needs to go into Farmland Preservation now.

Ms. Doan stated all of the properties that are on the Farm should have rent-paying tenants and not people who just "paint and do caulking." She stated all the funds earned at the Patterson Farm should stay in a separate account. She stated all the funds from the farmland rent should go into that account. She stated she would also like to know where the money went for the I-95 loop. She stated she has asked many times about this and has been told it is in the General Fund. She stated there were hundreds of thousands of dollars that could have been spent on the Farm, and they could have taken $100,000 and fixed up the Satterthwaite property, and it would be a rent-earning property now.

Ms. Doan stated for the Board of Supervisors to say this is not a workable situation is not true; and it is their ineptitude in management. She stated now they want to be released from the responsibility. She stated there are people in the Township who are in favor of saving the Farm and would work diligently to restore it, and that is what should be done.

Mr. Smith stated the Township does receive rent from the artists. He asked that Mr. Donaghy discuss the road issue; and Mr. Donaghy stated as presently proposed his understanding is there is no proposal to install a new road nor would there be a need to because the existing roads can continue to be used even though they may pass through a tract that has been conveyed to a third party.

Mr. Smith stated he did propose the "Demolition by Neglect" statute, but a majority of the Board did not agree to proceed with this. Mr. Smith noted there was a recent Editorial in the Courier times which indicated that the Township was missing an opportunity with regard to the Patterson Farm, and they suggested that the Township should immediately sell off the whole Farm and change the regulations so that they could commercialize the By-Pass and the Patterson Farm and put up restaurants, etc. The editorial indicated that by not doing so the Board of Supervisors was missing an opportunity to bring revenue into a "revenue-starved" Township. Mr. Smith stated none of the Supervisors are in favor of doing this. He stated the Board is in favor of maintaining the vision they have now. Mr. Smith stated he previously noted that part of the Farm was not protected, and he continues to urge that the farmlands be considered to be transferred to Farmland Preservation. Mr. Smith stated if you look at the map for the most part they are not discussing removing lands which are actually growing crops in considering this Subdivision. Mr. Majewski stated approximately one to one and a half acres are being used to grow crops. Mr. Smith stated basically the Township is only considering conveying the structures which the Township has been unable to keep up. He stated they are looking to do this for economic reasons, and they do not want to have to put additional monies into this property and would like to put it in a position where it can be restored and be a "jewel." Mr. Smith stated they want to make sure that the property is utilized, but at no cost to the Township which cannot afford to take care of it.

Dr. Amy Benz stated she has a sincere desire to improve the property. She stated her family has lived in the area for four generations. She stated she is a large animal veterinarian and is tied to agriculture. Dr. Benz stated she is working on a very comprehensive plan to improve the Satterthwaite House. She also stated equine hospitals need a lot of hay, and this could provide revenue to the Township. Dr. Benz stated she has had a well-known architect, John Milnor, go through the house as well a number of restorations builders; and at minimum it will cost $200 to $250 per square foot to restore. She stated there are holes spontaneously opening in the floors, mold throughout, and a lot of areas which are not supported.

Mr. Tom Conoscenti, 1595 Gingko Lane, stated they just received notice of this meeting Friday afternoon. He stated he does not feel the Boards and Agencies of Lower Makefield should take any action that compromises in any way now or in the future the Patterson Farm, its property, or its Zoning. He stated approving the sale and/or Zoning change for this parcel will have serious adverse financial consequences for Lower Makefield Township property tax revenues. He stated if the problem with the property is defined as the cost of maintenance of the existing buildings, the Planning Commission should consider all options and find the best solution.

Mr. Conoscenti stated the Planning Commission should honor the original intent of Mr. and Mrs. Patterson in selling their Farm. He stated in 1998 he saved the original article from the Courier Times quoting the Pattersons and Hal Roberts. Mr. Conoscenti stated taking any action to approve a Subdivision, even a Minor Subdivision, creates a precedent that will lead inevitably to further encroachments such as access roads to 332 or Yardley-Langhorne Road which would make the property even less desirable for agriculture uses.

Mr. Conoscenti asked which appraisal firm was used and asked if it was related to the firm used by the Township for the Dalgewicz property. He asked if the Township received multiple appraisals as is standard business practice. Mr. Conoscenti stated the Planning Commission must consider the effect of a below-market valuation on this property. He stated permitting a sale at below-market rates will serve as a "comp" for all properties in the vicinity; and he feels every property in Willow Wisp and Mirror Lakes Subdivision will rush to Doylestown to get their properties re-valued downward for tax purposes.

Mr. Conoscenti stated issues such as traffic studies, National Historic Register designations, water run off issues, Farmland Preservation, and water and sewer connections should each be specifically addressed before taking a vote; and he feels the results should be shared with everyone in the community.

Ms. Helen Heinz was present with Ms. Roseanne Friehs, Ms Ellen Conoscenti, and Mr. Ken Martin of the Historic Commission. Ms. Heinz stated the Planning Commission should be in receipt of their memo regarding their objection to this Subdivision. She stated they have heard things tonight that they have not heard before, and she feels the Planning Commission would agree with the Historic Commission questioning the Waivers from the SALDO that the Township is requesting. She stated it was indicated this evening that there would not be any earth-moving anticipated, and this is not what they heard from Mr. Fedorchak at their last meeting when he had stated that it would be no problem for Public Works officials to go out and lay the road in from 332, and that Mr. Hoffmeister already has a plan for the farm equipment to go in.

Ms. Heinz stated the well and septic systems should be designated, and she feels they should have all the information if they are approving a Subdivision. She stated this is at least a 1920 septic system, and something will have to be done if there is any kind of use whether it is a bed and breakfast or other use that is in the R-1 Zoning; and she feels they will have to be hooked up to water and sewer, and she questions at whose expense.

Ms. Heinz stated with regard to the trees, anything over ten trees triggers the new Ordinance that was written not too long ago for taking down trees; and she feels this should be shown. She stated contours should also be shown. She stated this is required of other developers, and the Township should not be exempt.

Ms. Heinz stated with regard to Deed language, they need to look at the original Deed to see what the Pattersons intended. She stated she recalls reading that it could only be subdivided if it was less than five acres, and she feels there was a specific reason for doing this because five acres triggers the special exceptions under R-1. Ms. Heinz stated if it is less than five acres, maybe this will give the Township "wiggle room" to re-draw the map.

Ms. Heinz stated they should read the R-1 Special Exception uses. She stated this could be a church, or a cemetery; and if this comes under R-1, they should consider what they could have in the future if this Special Exception fails. Mr. Bush stated he feels the Deed restrictions Ms. Heinz is referring to were only in effect when the Pattersons were living. Ms. Heinz stated she heard this from another attorney, and she is concerned by this since she does not feel the Pattersons would have agreed to this if they had realized this. Mr. Bush stated he is sure that they had counsel. Ms. Heinz stated she has heard rumors that the heirs of the Pattersons are looking to come in with lawsuits, and this may be an issue for the Board of Supervisors.

Ms. Heinz stated the appraiser was exactly the same appraiser that appraised the Dalgewicz property.

Ms. Heinz stated with regard to National Registry designation, if it is on a five acre piece she can guarantee that it will not be eligible for the National Register; and for the last few years, the PHMC has not done something that is privately owned and accepted it into the National Registry. Ms. Heinz stated they have continually argued that the Township should apply for and get that designation. She stated when the original stakeholders meeting was called, it was primarily given to Jeff Marshall to get that designation; and this has not happened. Ms. Heinz stated she turned over all of her research on this Farm to people at the Heritage Conservancy, and it never occurred.

Ms. Friedman asked if the Historic Commission has the power to push that process forward, and Ms. Heinz stated they do not without Township approval. She stated they were told to wait on this, and she has heard from Mr. Marshall that the Township Manager instructed him not to do it. She stated knowing what it takes for the PHMC to agree to a National Registry designation, the house, while it is important and locally significant, by itself and without the land around it, it will not qualify. She stated it is the Farm that makes it qualify. She stated any future money coming to that house will not be from anything that is donated by the State unless the Township is doing it. She stated they applied for loans for the painting of the house; and she asked at the last meeting how much they got from the PHMC for the painting for the front of the house, and they were told it was $75,000 which was a match from the Township. She stated she is not sure what numbers are being "tossed out." She stated the barn roof was $200,000, and that was separate. She stated the painting of the house was less than what is being represented.

Ms. Heinz stated they were also told not to apply for more funds. She stated they asked to do that, and were told not to do it. Ms. Friedman asked if this is in writing anywhere, and Ms. Heinz stated it is in their Minutes. Ms. Friedman asked if the dialogue has been documented, and Ms. Heinz stated it was all through conversation. Ms. Heinz stated the conversations were with their Grant writer at their meetings about what they could apply for. She stated their Grant writer, Susan Mazzatelli, is the one who wrote the Grants and does most of the Grants for the Township; and she is the one who indicates to them whether they are eligible to apply, and it is basically whatever the Manager tells her to do. Ms. Heinz stated if he does not think it is worth her effort to put time into doing it, she is not going to be doing it.

Ms. Heinz stated currently it is stabilized, the roof is done, and the house is painted in the front. She stated it would be nice to do the back, and they have explored the possibility of doing a community painting day which she feels is an excellent idea. She stated they could have a "Tom Sawyer Day" with everyone coming out with their white can of paint and do it.

Ms. Heinz stated the Township hopes to protect this with Deed Restrictions; and from someone who has been on the Commission since 1986, she can tell what you can do with Deed Restrictions that the Township has gotten from other property owners that they have sold property to. She stated it is not worth the paper it is written on, because if it is not enforced by the Township, it is useless. She stated they can try to protect it, but it is a private owner.

Ms. Heinz stated they have asked repeatedly to do a resident/curatorship and to try some other plans. She stated she loves the bed and breakfast idea. She stated there are plenty of other things they could do. She stated she is happy to hear Mr. Smith indicate that he is looking into Farmland Preservation as she feels this is what has to happen to prevent further efforts to try to subdivide the property.

Ms. Roseanne Friehs stated the Planning Commission is in a sensitive situation because they have the Subdivision coming before them without any real planning as to how to assess this. She stated she feels there should be a specific strategic plan to understand what is best for the Farm. She stated she feels things are moving too quickly. Ms. Friehs stated she does agree that the house is in need, but there should be a plan or in ten to thirty years their children will question what happened to Patterson Farm because there was not a plan before they "rubber-stamped" it.

Ms. Friehs stated there is a low appraisal for the land and the house, and this leads them to believe that the Township should get other appraisals to see what they are truly worth. She stated one appraisal is not good enough. She stated she is also concerned that this appraisal was done by the same appraisal firm that did Elm Lowne, and this should be a "red flag." Mr. Majewski stated the individual who appraised the Dalgewicz house has been deceased for several years. Ms. Frick stated while she does not know who appraised the Satterthwaite Farm, the appraiser who did the Dalgewicz house was Frank Mignoni; and she added that she had to read his testimony in Court in Doylestown.

Mr. Smith stated he was the dissenting vote in closing out the Dalgewicz litigation. He stated the gentleman Ms. Friehs is referring to may have been called in to review the work done by the prior appraiser as Mr. Mignoni was not alive to testify.

Ms. Friehs stated she heard that the appraisal for the Satterthwaite property was $265,000 for the 5.14 acres plus the house, and she feels this is extremely low. Mr. Smith stated this is based on the condition of the structures. Ms. Heinz stated Mr. Fedorchak indicated at a Township meeting that the appraisal for the property was $260,000 and with the houses and structures it was $265,000. She stated this is only $5,000 more for the house and the barn for which they just got a $200,000 Grant from PHMC and a $75,000 Grant that the Township met.

Mr. Martin stated he has lived in the Township for thirty years and prior to moving here he felt that Lower Makefield would be the last place to get crowded. He stated he has a map from 1947 and almost the entire County was farms. Mr. Martin stated he has heard that in thirty to forty years from now there will not be any farming in Pennsylvania in this area, and he feels the Planning Commission should consider this. He stated he feels the equine hospital would be viable.

Mr. Fried stated while they have the memo from the Historic Commission noting a number of points, it does not give their opinion on whether or not the property should be subdivided; and Ms. Heinz stated they do not feel the property should be subdivided, and the Township should come up with an alternate use that involves a resident/curatorship. She stated the Historic Commission has not been asked to comment on the restrictions being put on the Deed so they have no idea what is intended. She stated while the Artists of Yardley are a wonderful group, the fact that they are installing gardens around the house is of concern since these are archeological sites, and they should not be digging around the house. She stated the Historic Commission would like to advise them, but they have been told not to do so.

Mr. George Sowa, 985 Plowshare Road, stated he lives across the street from the subject property at Willow Wisp Farms. He stated when he purchased the property, he was assured that the Township was going to be a good steward with the Farm. He stated he has heard comments this evening that have made him even more concerned about the future of Patterson Farm. He asked if the farm buildings are not integral to the operation of a 226 acre farm, and asked if they should not consider whether they should be selling all the buildings that may be needed to operate the farm. Mr. Majewski stated there would still be a complete complement of farm buildings as there are nine buildings on the Brown farmstead which is the remaining lot; and these are capable to handle the needs of a farm of this size.

Mr. Sowa stated he feels they should make a recommendation to have the land put in Farmland Preservation. He also stated they should commit to getting the National Historic Preservation listing prior to the transfer or subdividing the parcel. He stated they would then have the comfort of knowing the listing would restrict what could happen in the future.

Mr. Sowa stated he also questions the appraisal of $265,000 for five acres and a house even if the house is in very bad condition. He stated he is amazed that the Township is in a position financially that they are having a debate over $265,000. He stated he pays $13,000 in real estate taxes and sends his children to private schools. He stated the property is stabilized enough and rather than rushing to do something today, they would be better off preserving what is there. He stated he does not feel they need to restore it at a cost of $400,000 to $500,000. He stated he feels they should have a plan rather than move so quickly.

Mr. Smith stated the Stakeholders Committee first met in 2007, and the Board of Supervisors has had discussions about the subdivision of the property for more than a year so he does not feel they are rushing into anything.

Mr. Sowa stated he is concerned that there is not a Plan for the rest of the property. He stated he feels they are selling a "donut hole" with frontage on the road where there are limited options on the site where they could have roads. He feels they are selling a viable parcel, and they need to consider the site in totality. He feels they are giving up something for a deminimous amount of money in the grand scheme of the Township's Budget. He stated with respect to the real estate tax side, he feels if they proceed, this will be a detrimental value to the homeowners; and he asked if the Township would be willing to reimburse them because of the detrimental value to their properties as a result of something that could happen in the future. He feels this is a short-term solution, and this Subdivision will become a catalyst to development and the end of the Patterson Farm.

Mr. Buster Doan stated this was one of the most productive farms, and selling the buildings off would be the worst thing they could do. He stated he farmed the property, and they used all the buildings on the Farm. He reviewed the amount of crops that they grew on the Farm. He agrees with Mr. Smith that the Farm should be turned over to Farmland Preservation, adding that he is President of Farmland Preservation. He stated without buildings you cannot get the right kind of farmer. Mr. Doan stated he feels they should keep all the buildings which he feels can be fixed up although it will take some time. He stated Farmland Preservation could do something with this working with the Amish to fix the buildings.

Mr. Smith stated he has pushed for the transfer of all the farmlands into Farmland Preservation which wanted these farmlands so that it would be more attractive as an incentive to bring someone in to farm these and the existing Farmland Preservation lands. Mr. Smith stated with regard to the buildings and structures, Mr. Majewski has advised that they are not currently being utilized for farmland equipment. Mr. Doan stated he feels Mr. Stewart does have some straw there.

Mr. Doan stated 60% of the food in the Country comes from outside of the United States, and the Department of Agriculture does not have time to check the quality of the fruits and vegetables coming in for pesticides as they are looking for drugs. He stated with locally-grown food, you do not have these concerns. He stated by the year 2040, the Department of Agriculture knows that there will be famine in the Country.

Mr. Fried stated Mr. Doan has indicated that the buildings are an integral part of the farm, and Mr. Doan agreed and stated they are the main thing on a farm. Mr. Fried stated he is hearing that for it to be attractive to another farmer, the farm buildings are needed, and Mr. Doan agreed and stated they would get a better farmer as well.

Ms. Doan stated the Delaware Valley Regional Planning Committee did a report of farms in the area and only 8% of the farms produce vegetables, and Patterson Farm is one of them.

Mr. Dickson stated he does not feel they can make a decision until they get further information from Mr. Majewski and the Board of Supervisors. Mr. Majewski asked what information the Planning Commission would be looking for. Mr. Bush stated he feels it is hard to vote on parceling out a portion of the property without having a better concept of what the end use will be. He stated he would like to see the buildings occupied. He stated he is concerned that it will continue to deteriorate or the Township will have to spend a lot of money to keep the buildings from deteriorating. Mr. Bush stated that when he sat on the Stakeholders Committee, none of the potential uses they heard about really served any kind of public utility. He stated there has been discussion about whether it is better to have a building that is owned by the public that serves no public utility or in the hands of a private entity; and he feels all these issues are beyond the Planning Commission without knowing what the potential end use might be. He stated there is also the issue of how long the Township can afford to keep the buildings in place. He stated he does not feel they have enough information before the Planning Commission this evening to be able to make a decision.

Mr. Dickson stated most of the houses in Lower Makefield should not be here, but the Courts told them had to be; and the Township government is trying to see what can be done to save what is left. He stated by trying to save what is left, there is an enormous financial burden put upon us which they are trying to deal with.

Mr. Smith stated while the prior Board made a wonderful purchase in the Patterson Farm, they did not take the next step which was to have an appropriate plan for the Patterson Farm. He stated four to five years ago, the Board set up a study commission/task force to see what could be done with the entire property; and while they came up with many recommendations, nothing further was done. Mr. Smith stated they do have to balance all the interests. He stated the Township residents have strongly indicated that the Township should not be in the business of owning and maintaining historical properties. He stated other groups may disagree with this. He stated there are economic pressures on the Township, and they must be fiscally prudent and responsible to all the residents and not just the group present this evening. He stated one of the reasons the property was not conveyed to the Farmland Preservation Corporation was because it would take away some of the revenue coming into the Township; and if they were to put this one parcel into private hands, it would go back on the tax rolls and funds would be going to the Schools, the Township, and the County. He stated the Township would also not have to maintain that part of the Farm. Mr. Smith stated some of the concerns for the other part of the Farm have been alleviated by the Artists of Yardley who he feels have done a wonderful job, and they are serving hundreds of people.

Ms. Friedman asked if the Artists of Yardley are paying rent, and Mr. Smith stated he believes that they do pay rent. Ms. Friedman stated this seems to be a viable use for that portion of the Farm. Ms. Torbert stated as explained to her by the Township Manager, in lieu of rent, the Artists of Yardley have agreed to maintain the property. Mr. Smith stated they also have a tenant in the cottage who does pay rent, and Ms. Torbert stated this is $400 a month.

Ms. Friedman asked the number of residential homes in the Township, and Mr. Majewski estimated it to be 12,000. Ms. Friedman stated rather than selling it for $300,000, the Township could fix it up for $500,000 and rent it out and have it make money if someone, such as Dr. Benz, would like to rent it. She stated it would probably cost a one-time charge of $45 per household to do this. Ms. Friedman stated the Township would then still have control over what happens with the property. She stated she is very upset that the rest of the property is not being preserved, and she feels they are very vulnerable, and she has no reassurance of what will be done with the rest of the acreage. She stated she does not feel the Township's argument has been strong enough in selling this small piece of the property without having a whole conceptual vision for what is going on with the entire property. She does not feel getting $300,000 is worth doing this for our future.

Mr. Fried stated the struggle he is having is that this was purchased as a whole property, and now they are being asked to make a decision on one small piece without a plan or vision for the entire property. He feels the comments being made by the community are the same. He stated he does not feel he can separate the two decisions. He stated this is the information they are missing. He asked if there is someone who is interested in the buildings could it be rented for ninety-nine years so that the Township is relieved of the financial burden yet still maintains control. He stated he understood as a resident that the Township was going to maintain control.

Ms. Friedman stated she is not speaking out against Dr. Benz adding that it would have to go out to an open bid if it were to be sold, and she cannot make a decision on selling the land feeling that Dr. Benz's use would be going in there as there is not a guarantee.

Mr. Fried suggested that they table this request and ask for more information before making a decision. This was acceptable to the rest of the Planning Commission.

Mr. Donaghy stated because they cannot state that it would be sold to Dr. Benz, the Supervisors are not permitted to say to the Planning Commission that it would be used for a specific purpose. He stated at this point nothing is being requested as far as land development, use, or changes. He stated at this point it would be limited to use as to what is permitted in an R-1 District.

Mr. Fried stated his comment was broader than that, since when they are Subdividing, they are effecting the overall integrity of the entire parcel; and they would like to know the plan for the other part of the property if there is a Subdivision.

Mr. Bush stated if it were to be a lease, they could come back with more information.
Mr. Donaghy stated they would not then have to subdivide it. He stated from a legal standpoint, what is being presented meets all the requirements for a Subdivision, although the Planning Commission could comment on the Waivers being requested. He stated otherwise it does meet the Ordinance and MPC requirements for a Subdivision.
Mr. Fried stated this would be true if it was a private Applicant, but Mr. Donaghy stated the Township is treated the same as a private landowner. Mr. Fried stated he felt the parcel was purchased with a certain intent and there were expectations by the public.
Mr. Donaghy stated his comments were made from a strictly legal standpoint.
Mr. Donaghy stated from a Planning standpoint, the Planning Commission can look at other issues such as how the remainder of the tract should be used, what portion should be subdivided, etc.

Ms. Friedman stated they understand that the seventy-one acres that are preserved will remain as farmland, but they are questioning what will happen with the other acreage.

Mr. Smith stated if they are concerned about the rest of the farmlands they could include a Condition that the rest of the farmlands be protected or conveyed to Farmland Preservation.

Mr. Bush stated the conclusion of the Task Force was that the tillable acreage should be preserved as farmland; and to the extent possible, the buildings associated with the property should remain. He stated if there was not a use for those buildings, ultimately it was recognized that they may be separated out. He stated in order to preserve the farmland the concept was that either the Township should deed restrict it or look into the County's agricultural program. It was not to look toward Farmland Preservation in part because of the issues raised regarding the rental money which would then not come to the Township but would go to Farmland Preservation. Mr. Bush stated he would be supportive of recommending again to the Board of Supervisors that the tillable acreage be preserved, but he would not necessarily recommend that it be given to Farmland Preservation.

Mr. Smith stated he feels Farmland Preservation is a viable option, but there are also other options that could be explored such as making it a condition of the sale that the other tillable acres be placed in a situation where they cannot be touched.

Mr. Fried stated he feels that the Planning Commission would like an additional opportunity to review all the information. It was agreed to table the matter and put it on the Agenda for the March 14 meeting.

Ms. Friedman stated she is concerned that they are setting a precedent by considering this Subdivision, and she is concerned about the rest of the farmland. She stated she does not want to proceed with this until she knows what the plan is for the rest of the property that is not protected.

Mr. Fried asked that the Planning Commission formulate some questions and forward them on to be answered at the next meeting of the Board of Supervisors. It was noted that the next meeting of the Board will be this Wednesday. Ms. Friedman asked if the Planning Commission should send a memo to the Board of Supervisors regarding this matter since this matter is on the Agenda Wednesday, and Mr. Smith asked that there be a formal memorialization of the Planning Commission points. Mr. Fried stated he feels someone from the Planning Commission should either go to the Board meeting or get something to the Board. Mr. Bush stated he feels this is impractical and he would be in favor of tabling this for a month and feels they should ask the Board of Supervisors not to make a decision on this matter on Wednesday.

Mr. Fried moved, Mr. Dickson seconded and it was unanimously carried to convey to the Board of Supervisors that this is an important matter/issue that has far-reaching policy implications. In order for the Planning Commission to give the Board of Supervisors the benefit of their opinion in this regard, they require more time to fully investigate these issues and give the Board of Supervisors the benefit of their input.

#608 – SAMOST TRACT PROJECT SKETCH PLAN FOR PROPOSED PAA INDOOR BATTING FACILITY

Mr. Majewski stated the Township purchased the Samost Tract seven to eight years ago for the purpose of using it for public recreation. He stated the property is located where the mulch piles are currently located. The property wraps around the wooded area which is owned by the Pennsylvania American Water Company where they have a water tower, and comes back through an open area out to Oxford Valley Road with a small area of lawn and some woods fronting along Oxford Valley Road. He stated the property is also located behind the Stoddard baseball fields across from the Township Municipal Building. He noted the location of the existing restroom/concession area on the Plan.

Mr. Majewski stated with input from Park & Recreation, the Township has developed a Plan for the Samost Tract for recreational purposes. He stated they considered a number of possible lay-outs, and the ultimate use was determined by the Park & Recreation Board to be most suitable for baseball fields and possibly tennis courts. He reviewed the various Sketch Plans which had been prepared, with the ultimate recommendation being the Plan being presented this evening. He stated they are proposing a 90' baseball field and a 70' baseball field. They are also proposing to add sixty-three parking spaces for the ball fields and a proposed batting facility is shown directly behind the restroom/concession area. He stated the access to the parking for the baseball fields would be through the existing access. Mr. Majewski stated based on the number of fields proposed and the number of existing fields, the sixty-three parking spaces in addition to some of the informal spaces that are in the area that will remain untouched, are adequate to serve the needs for the baseball facility.

Mr. Majewski stated the Sketch Plan for the overall Samost Tract also contemplates having up to twelve tennis courts. He also noted on the Plan the pedestrian trails through the site. He stated it is also proposed to take the existing parking at the girls' softball complex and bring the road back out to Oxford Valley Road so that there would be a loop road. He stated there would also be several parking spaces provided for the tennis courts adjacent to that area.

Mr. Majewski stated PAA has the potential of money being donated to help defray the cost of constructing an indoor batting facility. The Board of Supervisors approved a Waiver of Land Development for the batting facility only. The entire Park will still go through the Land Development Approval process. It was agreed that the Plan should still come to the Planning Commission first to review the overall lay-out of the Samost Sketch Plan and to verify whether there were any impediments to having the proposed batting facility in the location shown on the Plan. He stated they would like to have Planning Commission and public input prior to the construction of the batting facility.

Mr. Majewski noted the buffer area between the Tract and the neighboring residential areas.

Mr. Majewski showed pictures of an indoor batting facility that was constructed in Bensalem which is similar to what PAA is proposing. He stated they have a number of doors at that facility which are shown in the pictures, and PAA does not intend to have a lot of large bay garage doors. Mr. Majewski asked that the Planning Commission look at the proposed location of the facility and consider whether there was a better location.

Ms. Friedman asked the size of the facility, and Mr. Majewski stated it is 60' by 120' which is approximately double the size of the concession/restroom. Ms. Friedman asked how many people could bat at the same time, and Mr. Majewski asked that Mr. Birkhead from PAA comment on this. Mr. Majewski also asked that the Planning Commission provide input on the color scheme to be utilized. He stated he felt they should keep it similar to the color scheme of the Township complex and the existing baseball concession area which would be beige and brown.

Mr. Majewski stated no trees will need to be removed to construct the proposed batting facility. He stated there is approximately 400' of woods between the proposed batting facility and the nearest home which is 500' away. He stated the height proposed for the facility is slightly less than 25'.

Mr. Bo Birkhead, PAA, stated it will be a 7,200 square foot facility which will be turfed on the inside. He stated there will be four 15' by 70' tunnels, and each tunnel will have netting with runners to make up the 15' by 70'. He stated it will be used for hitting and pitching. He stated the netting can be pulled back.

Mr. Smith stated some neighbors have e-mailed him about the aesthetics and about the acoustical situation with respect to the facility. Mr. Birkhead stated the facility will be located in an area where they play outdoor baseball. He stated what is proposed is a steel pole barn that will be insulated. He feels that a lot of the sound will be muffled.

Mr. Fried asked how many teams could be in the facility at one time, and Mr. Birkhead stated PAA will manage this with a card system, and they will have scheduled use of the facility. He stated there could be up to 100 individuals in the facility if there was a clinic. He stated they are planning on making use of the facility for their meeting as opposed to using the Township Building.

Mr. Fried asked Mr. Majewski if the sixty-two parking spaces proposed for this use are sufficient, and Mr. Majewski stated they would not only have these sixty-three spaces, but also the informal parking spaces which adds an additional twenty-five spaces. He stated there is also the lot across the street where there is the crosswalk with the flashing pedestrian lights which are used on the weekends. He stated at the informal parking area you can fit approximately thirty to forty cars. He stated what is proposed will double the parking in the area.

Mr. Fried stated he feels they need to demonstrate that the facility will fit in aesthetically. He stated the Planning Commission received comments from the public about concerns with traffic and how this will effect the traffic patterns. Mr. Fried stated he feels they need to make sure they handle the noise. He stated they also need to address the lighting since people will be using this in the evening.

Mr. Dickson stated tonight they are only being specifically asked if this is an appropriate location, and all the other issues will be dealt with when they get to Preliminary/ Final. Mr. Majewski stated they would like input from the Planning Commission on the overall Sketch Plan although the primary purpose is to make sure there is no real objection to having the batting facility at the proposed location.

Ms. Friedman asked if the facility will be locked when there is no adult supervision; and Mr. Birkhead stated this will be managed by PAA, and it will never be left open without adult supervision.

Ms. Frick asked if they are proposing bathrooms at the facility, and Mr. Birkhead stated they are. He noted they do have the list of questions from Ms. Frick, and they will respond to these questions. He stated they are modeling this off of the Bensalem facility, and there will be a universal bathroom in the waiting area of the facility. He stated the waiting area is approximately 15' by 50' with a bleacher where parents can sit and wait for their children to complete their training.

Ms. Friedman asked if the Township has any additional liability by having such a facility. Mr. Smith stated PAA does have their own insurance. Mr. Donaghy stated as part of the Agreement, PAA will have to show that they have insurance, and they will also have to hold the Township harmless.

Mr. Birkhead stated the facility has a thirty-year warranty on the shell of the building.

Mr. Fried stated public comments should be limited to the location of the proposed facility. Mr. Majewski stated he would also like input on the overall Sketch Plan in addition to the proposed location for the batting facility. Mr. Majewski stated PAA would like to break ground for the batting facility in the spring, but the rest of the site will have to go through the full Land Development process.

Mr. Richard Kratz, Afton Chase, stated he only received notice of this meeting over the weekend. He stated this Plan for new baseball fields is new to him as he has only been in the Township for four years. He stated he is the last house on the cul-de-sac on Oxford Valley Road at Edgewood. He stated he does not feel he would have purchased the house if he had known about the plan to do baseball fields in his backyard. He stated the existing situation is fine with the fields further away, and it does not interfere with anything he can see out of his back yard; but the noise does echo through his house. He stated he understands that he cannot change things that are here; however, when there are tournaments, it gets very aggressive with regard to the noise and the traffic. He stated he also has Edgewood Elementary School where there is soccer with whistles and

cheering on Saturdays at 7:00 in the morning. He stated now he will see this facility from his back yard; and this facility will bring in more noise and traffic. He stated it will bring his property value down where it is already in trouble now with the real estate market. He asked that the Planning Commission give him some more time to try to find out what he can do to stop the building from being built. Mr. Fried stated this is a preliminary meeting as it is a Sketch Plan, and there is a long process. He also encouraged him to talk to PAA if he has concerns.

Mr. Majewski stated the indoor facility will be about 1000' from Mr. Kratz's home. He stated they sited it at that location because it would have the least impact on the residents but still provide the most utility for PAA. Mr. Majewski stated with an indoor facility, the noise will basically be inside.

Mr. Kratz stated it will still bring in more cars. Mrs. Kratz stated people already park in their area during the baseball season.

Mr. Majewski stated the parking lot will go through the full development process, and they will temporarily use the informal parking lot that is existing.

Mr. Dickson moved, Mr. Fried seconded and it was unanimously carried that the Planning Commission sees no objection to the location of the proposed batting facility.

Mr. Dickson moved, Ms. Friedman seconded and it was unanimously carried that as the Plans for the Park Project are developed, issues of noise, lighting, buffers, traffic, Parking, and general effects to the surrounding neighbors should be addressed.

#609 – VETERAN'S SQUARE – DISCUSSION OF PROPOSED PARKING LOT LAYOUT

Mr. Fried stated he has been advised that the Veteran's Committee would like to begin construction of the monument this summer, but the design of the overall Park cannot be completed until consensus is reached on the parking lot layout from various stakeholders; and the Township would like to confirm the proposed monument location is acceptable.

Mr. Majewski stated the Veteran's Committee has been raising money to build a monument at Veteran's Square. He showed the lay out on the Plan. He stated as part of the Plan that was presented to the Board of Supervisors, the Committee came up with a proposed location for the monument which is centrally located within the Park adjacent to a large existing tree. Mr. Majewski stated for the monument and the other uses at the property including the Farmer's Market, parking will be needed. Mr. Majewski stated the property is on Edgewood Road across from the Woodside Presbyterian Church.

Mr. Majewski stated they have proposed a forty-nine space parking lot which will have an access off of Edgewood Road, and be a double-loaded parking lot with parking on each side of the aisle with two handicap spots centrally located so that they have the shortest path possible to the monument. Mr. Majewski stated several alternatives for the parking lot were considered, and they feel what is proposed will meet all the needs for the uses on the site. Mr. Majewski stated currently the Farmer's Market parks between fifty and sixty cars in the area. He stated what is proposed is a paved parking area. He stated another feature for the monument in the future is they propose a processional walk from the monument out towards Edgewood Road; and a rendering of this has been shown to the Board of Supervisors. He stated this also includes on-street parking which is one of the goals of Edgewood Village.

Mr. Bush stated this is the only real public property in Edgewood Village; and while they do not know what Edgewood Village will ultimately look like, he asked if they anticipate that this parking will be enough to service any other portion of Edgewood Village in addition to Veteran's Park. Mr. Majewski stated they feel that for a large event at Veteran's Square, this would not be enough parking. He stated for the day-to-day use of people coming to Veteran's Square and the Farmer's Market it is just enough spaces to accommodate all of those uses. He stated during the day when there are only a few people in the playground or visiting Veteran's Square, this parking lot could be utilized as parking for the entire Village. Mr. Smith stated there is an Agreement with the Presbyterian Church across the street for use of their parking lot for those using Veteran's Square. Mr. Bush asked if Mr. Smith believes that it is the Church's understanding that when Edgewood Village is developed and there is a need for parking, that people will be able to park in the Church parking lot; and Mr. Smith stated this is not his understanding.

Ms. Kathy Kraeck, Veterans Committee, was present with Brian Mann, the lead architect for the project. She stated they wanted to create a timeless monument to honor Veterans of the past, present, and future in the community, and do this in a park setting where the community can gather for events and educate the young people in the community about the sacrifices our service men and women have made. She stated the project started about two years ago, and they have since raised approximately $100,000. She stated they hope to invite community contractors to bid on this project in the spring.

Ms. Kraeck stated three years ago there was a Veterans Parade which Mr. Smith, herself, and a group of other people initiated as part of the Special Events Committee. She stated as a result of that Parade, they realized that where the Parade ended at the intersection of Edgewood and Heacock Roads, there was no place to hold an appropriate ceremony for the Veterans. She stated they are looking to make something special for the community out of this Park that was not really being used. She stated they have been able to raise a significant amount of money in a short period of time. She stated when they have the Parades, they have a reciprocal arrangement with the Woodside Church and the Masonic Temple for parking.

Mr. Majewski stated individual property owners throughout the Village will have to provide their own parking, but this could be an overflow area.

Ms. Friedman asked if it is possible to make the parking lot an "L" shape so that half of the parking would go along the back, and there would only be one row of cars. She stated she is concerned about the aesthetics of Edgewood Village. Mr. Mann stated they did have long-term plans for the back of the site which includes planting the back to shield the view of the CVS, and they were proposing to have a planted berm along the back edge. He stated parking at the location proposed is where the parking takes place now, and they felt this maximized the efficiency of the parking and minimized the amount of impervious coverage.

Ms. Kraeck stated they would like to add a row of evergreens to the left of the parking lot to act as a screen for the adjacent property owned by Dr. and Mrs. Cimino. She stated Dr. and Mrs. Cimino are aware of the location of the proposed parking lot and had requested when they initially designed the monument that the parking lot be placed at that location. She stated they did request a screen buffer, and they have contributed toward the project and are very much in favor of it. She stated there may be a way to put some additional landscaping in the front and on the right side of the parking lot to make it more aesthetically appealing.

Mr. Fried stated it does not appear that there are many options for parking given the property. Mr. Majewski stated they did review a number of options. He stated there are ways to make the parking lot look attractive including use of pavers for part of the parking lot or adding additional landscaping.

Ms. Friedman stated she would like to see it integrated into the Edgewood Village concept.

Mr. Ken Martin, Historic Commission, stated they have weighed in heavily with Edgewood Village; and he would like to discuss the parking in general since there are is a lot of housing. He stated he has been involved with the Farmer's Market, and feels it would be nicer if it were gravel parking and not cemented over. Mr. Martin stated currently there are about fifty-four spaces being used for the Farmer's Market; and if there are less than this, it will be difficult.

Mr. Martin stated they have also had difficulties with the sensibilities of the Quaker community, having been here for four hundred years, and their opposition to War. Mr. Martin stated the Quaker community is going to provide them with a letter of intent about their sensibilities. He noted the number of Quaker houses of worship in the area, although there are none in Lower Makefield. Mr. Martin stated the Historic Commission feels their sensibilities should be considered.

Mr. Martin stated the Historic Commission also has some issues as far as the use of the main part of the Park for the Farmer's Market which is from late March to October. He stated the Veteran's Committee have about seven events for the whole year. He stated they were also planning to have parking along the road on Edgewood Road, and he stated there is no room for parking on both sides. He stated the Church does allow people to park at their parking lot, and this takes off a lot of the pressure. He stated the Masonic Lodge is diagonally across an intersection that is heavily traveled, and he feels they should consider the danger of people using that as a crossway.

Mr. Martin stated the Historic Commission is also not certain that the central location for the monument will not interfere with the root system of the tree which is a couple hundred years old. He stated they are concerned about leaving a space open along the front and possibly moving the monument back, and leaving a bigger area for the Farmer's Market. He stated the Farmer's Market is very popular and there are cars constantly coming in and out from 3:30 p.m. to 7:00 p.m.

Mr. Martin stated the Historical Commission feels that they have a responsibility to make comment on the total concept. He stated the parking area is a big concern with the Historic Commission. He stated he feels that fifty-four spaces is the correct number.

Mr. Majewski stated they could add some additional spaces to the lay-out, but he will need to look at the potential impact to the trees on the property. He stated when they designed the monument, they looked at the spread of the branches for the trees since typically the root system goes out to the drip line of the trees; and as long they are near or at the edge of this, they will not significantly damage the tree. He stated the monument was placed to be right at the edge of the drip line so that it would not impact the root system.

Mr. Martin stated the Historic Commission is also concerned with the wall going up to 6' high as it may be a hazard for skateboarders which would be a hazard to the Township in term of liabilities.

Mr. Fried stated they are only considering the parking lot lay out this evening, and suggested that he share his comments with the Veteran's Committee.

Ms. Roseanne Friehs stated it seems like the parking is now better arranged than it was previously. She stated originally they had minimal parking. She stated they do have concerns about the placement and design of the monument in Edgewood Village.
Mr. Fried stated if the Historic Commission has comments they could send them to the Veteran's Committee and to Ms. Frick who would distribute them as appropriate.

Mr. Fried agreed that it was the consensus of the Board that the Planning Commission has no issue with the Sketch Plan for the proposed parking lot.

There being no further business, Ms. Friedman moved, Mr. Bush seconded and it was unanimously carried to adjourn the meeting at 10:55 p.m.

Respectfully Submitted,

Tony Bush, Secretary