TOWNSHIP OF LOWER MAKEFIELD
PLANNING COMMISSION
MINUTES – JANUARY 23, 2012

The regular meeting of the Planning Commission of the Township of Lower Makefield was held in the Municipal Building on January 23, 2012. Mr. Dickson called the meeting to order at 7:35 p.m.

Those present:

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

#618 – DISCUSSION AND MOTION REGARDING PROPOSED MINOR SUBDIVISION OF TOWNSHIP OWNED PARCEL T.P.N. 20-34-20-6 LOCATED OFF OXFORD VALLEY ROAD

Mr. Terry Fedorchak, Township Manager, was present and stated they are asking the Planning Commission to consider approval of a Subdivision of a tract of land the Township acquired in the mid 1980s. He stated while he was not Township Manager at that time, he understands the idea behind the purchase was that perhaps at some point in time the Township may have use for that property. He stated a piece of this property abuts the Township building, the Pool, and the tennis courts. Mr. Fedorchak stated it has now become evident that they cannot see any value in the property as far as any Township application such as for recreational facilities, Public Works, or any type of Township function.

Mr. Fedorchak stated approximately one year ago, the Township had discussions with the Bible Fellowship Church which has been before the Planning Commission a number of times with expansion plans. Mr. Fedorchak stated the Church representatives have advised the Township that they are continuing to expand in terms of membership, and they have a need to expand the existing facilities. He stated the Church is maxed out with respect to the land that they now own which does not meet their long-term needs.

Mr. Fedorchak stated the Church representatives approached the Township about the possibility of acquiring the land next to them which is owned by the Township. Mr. Fedorchak stated after a series of discussions which included himself, Mr. Majewski, and the Church representatives which included their technical staff and engineers, it was determined that they would need approximately twenty additional acres in order to accommodate most of their future plans.

Mr. Fedorchak stated according to the Second Class Township Code, any time that the Township sells property, the process is that it must be done by public bid. He reminded the Planning Commission that approximately one year ago the Township made a decision to sell Elm Lowne which was placed out to public bid and it was awarded to the highest bidder. He stated the Township is currently looking to do something similar with the Satterthwaite House on the Patterson Farm.

Mr. Fedorchak stated the total number of acres of the tract under discussion this evening is twenty-nine acres and they will parcel approximately twenty-one acres. Mr. Fedorchak stated the area that directly abuts the tennis courts and the ball field will be retained by the Township in case that there might be a need to expand those facilities.

Mr. Bush asked if there was an intended use for the property when the Township acquired it, and Mr. Fedorchak stated he does not feel there was an intended use. He stated he understands that there had been a development proposed which did not go through; and the feeling of the Board was, that since the land was so close to existing Township facilities, this was a good time to secure the property for the future. Mr. Fedorchak stated he feels this was a wise decision at the time, but currently they do not feel there is a use for all of this property for any Township use.

Ms. Friedman asked how many building acres are on the tract. Mr. Majewski stated the site capacity calculations show that for Lot #1 the total resource protected land is fourteen acres out of the twenty-one acres so there is really only seven acres of usable property unless a Variance is obtained. He stated this is because they have the wetlands corridor, wetlands buffer, and the ratio of woods that can be disturbed is only 30% of the remaining woods on the property. He stated they have the 30% of the woods along with the area that is already cleared which included the sediment stockpile. He stated the developable area would be the area in front of where the wetlands are, and they could not really develop even all of that. The property is Zoned R-2. Mr. Majewski stated the site capacity calculations indicate that in theory you could get seventeen to nineteen lots out of this piece of property; but in reality with the restrictions and configuration of the property, you could not really get more than eight or nine small lots. Mr. Majewski stated in order to sell the property, the Township does have to go out to public bid.

Mr. Fedorchak stated this is the first step toward putting the property out to public bid, and they will be receiving sealed bids. He stated if it is the Bible Fellowship Church that is the high bidder and the Board of Supervisors feels it is appropriate to sell it to them, he assumes the Church would then come back before the Planning Commission and the Board of Supervisors to get Land Development approval. Mr. Dickson stated he assumes they would also have to go before the Zoning Hearing Board, and Mr. Fedorchak agreed assuming that a Waiver was required. Ms. Friedman asked if the Church had approached the Township with interest in the property, and Mr. Fedorchak stated they did for expansion of the Church.

Mr. Dickson stated he felt that the Church owned a parcel on Edgewood Road already; and Mr. Majewski stated they were looking at the Harris property on Edgewood Road, but they could not come to an agreement. Mr. Dickson stated he recalls that if the Township had not approved use of the modules by the Church, that they were going to look elsewhere. Mr. Majewski stated he feels they have been considering their plans for some time. Mr. Fedorchak stated he believes that the Church had indicated they wanted to stay in this immediate area.

An aerial map of the property was shown to the Planning Commission for their review. Mr. Majewski stated they are looking at twenty-one acres for impervious surface calculation purposes.

Mr. Brian Cromarty, 2323 Weinman Way, stated this land is directly connected to the Township facilities; and in a time when they are talking about buying and preserving green space to release for open bid a prime piece of real estate in Lower Makefield just because there are no immediate plans for it, is short sighted. He stated the Church has other options; and since it is being opened to public bid, this does not guarantee that the Church will purchase the property.

Mr. Tim Burke, Weinman Way, stated he agrees with Mr. Cromarty, and he is concerned about the idea that it would be put out to public bid. He stated this has been presented in terms of Bible Fellowship utilizing the property, but he does not feel realistically a non-profit organization has the probability of having the highest bid for property in a very desirable area to live. He stated Lower Makefield is one of the most desired areas in Eastern Pennsylvania. He stated they need to realize that if they are going to do this, this needs to be presented in the terms that a developer is going to put in the highest bid; and the property will be developed. Mr. Burke stated he is also concerned about the wildlife which is overrunning their property already. He stated if more open space is developed, he feels there should be a plan for wildlife mitigation. He asked if this will impact the ultimate right-of-way which would mean that people will be losing portions of their yards; and Mr. Majewski stated the ultimate right-of-way will not encroach on anyone’s property who lives on Weinman Way.

Mr. Dave Kelly, Reading Avenue, stated he likes the land the way it is. He stated he understands the land was bought by the Township to keep it as open space so that it would not be developed. He stated there are designated wetlands on the property. He stated this could open the door for development, and this will be a land grab for developers. He stated he does not know if they get taxes from the Church, but he feels the Church would be better than houses.

Mr. Alan Dresser, EAC, stated he just heard about this for the first time tonight, and he asked why they want to sell the property. Mr. Fedorchak stated as he indicated earlier this evening, they do not see any application for this particular tract of twenty-eight acres. He stated when you look at the Master Plans, no one has this property on their radar. Mr. Fedorchak stated when the property was acquired in the mid to late 80s, the Board of Supervisors was looking ahead not knowing where the Township was going and how large it was going to become, and how large the expansion of the Township might bring in the way of additional Township facilities. He stated they felt it was a good move at that time to acquire the property; but today, as they see what the needs are, they do not see a need for this tract.

Mr. Dresser stated he respectfully disagrees and see this as open space that is part of a large piece of property, and it would be good to keep it continuous and not chop it up. He stated he feels the EAC and most of the Township feels that the Township should be adding to open space and not selling it off. He stated the Township seems to be selling off a lot of property lately, and it does not make sense. He stated they should be adding to the open space; and the 2008 ballot authorized the Township to spend up to $15 million for open space, and this was passed by a 70% margin. He stated most people in the Township would want this tract kept as open space, and a good use is what it is doing right now staying as open space wetlands and mature woodlands.

Mr. Tim Hennessey, 16 Scammel, stated the move has been to preserve the open space in the Township. He stated he is a life-long resident, and he has watched the Township get destroyed through too much development. He stated he feels they should leave it as open space. He stated he has an attachment to this tract of land since he grew up in the area and played in those woods and goes there today with his daughter. He stated he feels they have built too much already. Mr. Hennessey stated if the Church wants to expand, he questions how big they want to go. He stated they could expand the Church without encroaching too much on this land.

Ms. Friedman asked the maintenance required of the Township for this tract of land, and Mr. Fedorchak stated there is none. Ms. Friedman stated it is theoretically not costing the Township to have it there, and Mr. Fedorchak agreed and stated that is not the issue.

Mr. Dickson asked if this is a matter of finances to the Township similar to the Satterthwaite House which is a burden the Township took on. He asked if it would be financially harmful to the Township to keep it as open space, and Mr. Fedorchak stated it would not as he reported in response to Ms. Friedman's question. He stated unlike the Satterthwaite House and Elm Lowne where there were considerable annual operating and maintenance expenses that the Township was incurring along with significant capital liabilities and in both those cases they were the driving forces behind selling Elm Lowne and moving toward selling the Satterthwaite House, this situation is different because they do not have those underlying factors. Mr. Fedorchak stated there is not an identified use for this property, and the Church came to the Township with their needs so this was an opportunity the Township had. Ms. Friedman asked if the Church approaching the Township started this process; and Mr. Fedorchak agreed and stated prior to this, they were not thinking of doing anything with the property.

Mr. Dickson stated the dilemma is that when it goes for open bid, a developer could out bid the Church; and Mr. Fedorchak stated while this is a possibility, he does not feel this is the direction the Board of Supervisors would want to go with this property. He stated the bid documents and Sales Agreement may be able to be constructed in such a way to prevent this from happening, but this would be an issue for the Township solicitor. Mr. Dickson stated in looking at the wetlands area, he questions where the Church could expand. Mr. Majewski stated based on the site capacity calculations, they would be required to preserve at least fourteen acres of the twenty-one acres; and there is only seven acres of buildable land which is the area around the sediment stockpile.

Ms. Friedman stated she sees no compelling reason to sell this property and feels selling it will leave the Township vulnerable in the future for something else they may not be able to anticipate at this time.

Mr. Majewski stated there are limitations on the Church because of the impervious surface ratio. Mr. Bush stated he assumes that if the Church were the successful bidder and what is proposed as Lot #1 were added to the Church's existing property, they could then expand within their current property based on the additional land without going into the woods. Mr. Majewski stated they would probably have to go into the woods because they have constraints on their property with the wetlands. Mr. Koopman stated they would however have a larger gross tract area from which to calculate impervious surface, and Mr. Majewski agreed. Mr. Koopman stated the property may therefore be more valuable to the Church than to others because the Church could add it to their existing property.

Ms. Friedman stated she does not feel they can make a decision based on the fact that they think the Church may get the property. Mr. Koopman reviewed issues the Planning Commission should consider in making a recommendation to the Board of Supervisors.

Mr. Bush noted the comment in the Remington & Vernick letter regarding verifying whether the Pennsylvania American Water company out parcel was intended to be transferred to the Township, and Mr. Fedorchak stated this should be transferred, but it was never done; and he intends to pursue this.

Mr. Dickson stated from a public policy perspective, they have heard a lot over the last few years about the loss of open space; and they are being presented with a best case scenario that the Church would be the successful bidder, but that may not occur so they feel it would be best if the property were continued to be held by the Township to avoid development.

Mr. Bush moved and Ms. Friedman seconded to recommend to the Board of Supervisors not to approve the Subdivision Plan last revised 11/21/11 based on public policy reasons of preserving open space without seeing compelling reasons for the Township to sell the property.

Mr. Jim Potoka stated he is a member of the Church and a twenty-four year resident of the Township. He stated the Church would like to expand and be able to increase parking to take cars off the street and become a better neighbor for Lower Makefield and provide the services and activities they do for Lower Makefield. He stated they want to stay in Lower Makefield as they feel this is where their ministry is. He stated they want to pay whatever is the fair and equitable price for the ground; and he is not sure that there is a way that it could be done for the Township to sell it to the Church for whatever the Township appraises the ground for. Mr. Potoka stated the Church is limited to 17% impervious surface, and they would only use a little over three acres for parking and footprint of buildings. He stated most of the land would be preserved if the Church owns it. He stated he feels the neighbors would be happy to have almost all of the ground preserved the way it is. He stated because of the constraints of the impervious, the Church needs to have this additional acreage in order to build.

Mr. Bush asked if this is put out to open bid, could the bid be structured such that some of the land would be deed restricted, and could the land then still be considered for impervious surface calculations. Mr. Koopman stated the Township could put restrictions on the use of the property itself. He stated with regard to impervious surface calculations, even if a portion of the property were subject to a Conservation Easement or some restriction, it would still be counted in the total for impervious surface; and Mr. Majewski agreed. Mr. Koopman stated the Township also has the right to reject all bids as well, and this is not an uncommon feature in the bidding process.

Mr. Fedorchak stated in the past they have attached restrictions such that it could not be used as a separate building lot or something like this, but they would have to discuss this with the solicitor.

Mr. Bush asked Mr. Potoka if he was present on behalf of the Church or just as a congregant, and Mr. Potoka stated he is present on behalf of the Church. Mr. Bush asked if it is the Church's intent to just add parking or would there be also be additional building space, and Mr. Potoka stated it would be both done over multiple years.

Ms. Friedman asked if they have estimates on the number of congregants expected, and asked if they intend to have a school. Mr. Potoka stated there has been no talk of a school. He stated when they built the building twelve years ago when they moved from the Grey Nun Academy, they had 200 congregants; and today they have 600. He stated they currently have portable units, and in the next two years, they would like to expand the current building they are in now, and they would eventually like to build another larger building that would house 1000. He stated their current building seats 400 at a service, and it is a multiple-purpose room. He stated they may not be able to build the second building for another five to ten years. He stated the next phase would be modifying what they currently have to get some expanded seats, and they would then like to build a small education wing so that they can get rid of the portables; and after that they would have a final construction for a sanctuary.

Mr. Potoka stated currently they are using the Edgewood School parking lot and a shuttle, but they would like to get all those cars as well as get all the cars off the street and get them all onto their own property. He stated they did look at the Harris property on Edgewood Road, but there were problems with that tract. He stated they feel their ministry is in Lower Makefield.

Mr. Dresser asked if they have considered going to the Zoning Hearing Board to get a Variance to the impervious surface, and Mr. Potoka stated they feel for what they are considering, the Variance request needed would be too much. He stated currently they only have twelve acres, and they are currently at the 17% maximum. Mr. Pazdera stated what they are proposing would be a substantial building which would require a very large parking lot. Mr. Potoka stated they want the additional twenty-one acres so that they can stay within the 17% impervious, be good neighbors, and have as much open space as they can. Ms. Friedman stated she feels they would not be able to use the back woodlands so it would look like a "behemoth" with a parking lot. Mr. Potoka stated he feels that what they have done so far has been "pleasing to the eye," and Planning and Zoning would look at any plans as they go forward. He stated there would be a tree buffer, and they would not be taking down many trees.

Mr. Dickson stated it seems that eventually they will have a 1,000 seat Church and an education center which would require a very large parking lot although they have no plan to look at. Mr. Potoka stated in their Master Plan Build Out it included parking for the larger building and it stayed within the 17% impervious if they combined the properties. Ms. Friedman asked if they would stay with one story or would they build a two-story building. Mr. Potoka stated the current building is two stories, and the Plan he has seen was also two-story. He stated the new large building would have the sanctuary on the top and Sunday School classrooms on the bottom. He stated the way the property tilts away from the road, it actually looks like a one-story building from the front.

Mr. Bush stated if the Church were the successful bidder, he is concerned about the tunnel going under the Railroad which is already a bad intersection; and if the Church were to grow this much at that location, that tunnel under the Railroad may need to be re-visited even though he recognizes that this is a CSX issue and not a Township issue. Mr. Dickson stated it is a Township issue in the sense that it involves public safety.

Mr. David Kelly stated he feels the Church is doing a good job and they need to expand, and now they found this land which they feel is exactly what they need; and now the Township is saying they do not need the land. He stated he feels the Township does need this land because it is open space. Mr. Kelly asked how they came up with the size of the parcel that they are going to sell. Mr. Majewski stated he and Mr. Fedorchak had discussions about the property with the Park & Recreation Director and the Public Works Director and they looked at what land they may foreseeably ever need to use out of the entire tract of land; and based on the configuration and the shape, they determined they would only need the seven and a half acres shown on the Plan. He stated the land the Township would retain is behind the Township maintenance yard, the ball fields, and the tennis courts. Mr. Kelly asked what the stockpile is from, and Mr. Majewski stated when they dredged Silver Lake, they pumped the spoils to that area.

Mr. Dobson stated the Board of Supervisors has not discussed selling this piece of property, and this is the first time he has heard about this.

Ms. Friedman asked if they have any idea as to how much they could get by selling this, and Mr. Fedorchak stated they do not have a final number, but he would estimate that it could be $700,000.

Mr. Tim Burke stated the Church has been a good neighbor, and he has never heard anyone complain about the parking on the street. He stated he was present several years ago when they first constructed the Church, and now they are considering even more construction on more land. He is concerned that in the future they will then be requesting Variances, and he asked where they will draw the line. He stated there is a lot of under utilization of the area now, and he feels developing more would leave a large portion still under utilized for most of the week. He stated he is concerned that a developer could get the property which would be a tragedy.

Mr. Brian Cromarty stated he feels it is within the Township's power to grant a Variance on the amount of impervious surface, but it would not be within the Township's power to take back the land if it were put out for bid. He stated he is not familiar with Lower Makefield politics but feels $700,000 is slightly less than they just got from Bucks County for purchasing green space as he felt they just received $830,000. Mr. Cromarty stated the Church is surrounded by wetlands, and he feels the Township should grant them a Variance to build a parking lot and enlarge their building. He stated he does not feel the Township should give away prime green space while they are accepting money from the State and County to buy green space somewhere else.

Motion carried unanimously.

#438-P – DISCUSSION AND APPROVAL OF PRELIMINARY/FINAL PLAN FOR GRACE POINT CHURCH PARKING LOT MODIFICATION/IMPROVEMENT(S) WASHINGTON CROSSING ROAD

Mr. Keith Brown, attorney, Mr. Glen Ely, Chairperson of the Expansion Committee, and Mr. Tom Hanna, Project Manager, were present. Mr. Ely stated in 2010 they presented a Plan to add parking at their Church which is located at the intersection of 532 and Stoopville Road. He stated they presented a Sketch Plan in November, 2010; and they then met with the Planning Commission in January, 2011 and subsequently with the Board of Supervisors. He stated they were encouraged to pursue a Variance from the Zoning Hearing Board on the impervious ratio for parking. He stated they met with the Zoning Hearing Board in March, 2011; and they did grant a Variance bringing the effective rate of impervious to just under 30%. He stated part of the Variance was a stipulation that additional paving would be part pervious and part impervious; and if it were all calculated as impervious, then the effective rate would be just under 30%.

Mr. Ely stated they submitted a request for Land Development in October, 2011 and there were responses from the various reviewing agencies.

Mr. Hanna provided color renderings of the Plan along with photos of the site and a street view.

Mr. Hanna showed on the Plan the location of the Church which was built in 2004. He stated the prior Land Development Application also involved a future expansion to the existing building, and they are showing that again as it carries through on this project. Mr. Hanna stated the Church's need now is additional parking, and they are proposing to expand parking out to the east as well as some in the north and create another lot in the western area. He stated they are honoring the Conservation Easement that protects the wetlands and woodlands which they are not changing at all. Mr. Hanna stated in addition

they will be reconstructing the stormwater management facility since the existing detention basin is where they are proposing to have additional parking. He stated they will have a combination of stormwater features including porous paving in the expanded parking areas in the east and west, and they will recreate the naturalized basin near the intersection. He stated that basin will operate similar to what is there now, and while it will have some enhanced features, it will still discharge in a similar location to where it does now.

Mr. Hanna stated the Historic Committee, Pennsbury School District, Bucks County Planning Commission, and the fire consultant had no comments.

Mr. Hanna stated TPD submitted seven comments, and they will comply with all comments. He noted one item which was also in Mr. Majewski's letter regarding the northern entrance on Stoopville Road which should be restricted to one way out, and they will agree to this, and it will be signed.

Mr. Hanna noted the Remington & Vernick sanitary sewer review, and they will comply with all the technical items. He noted Item #2 and stated currently the Church is on a septic system the location of which he showed on the Plan. He stated as part of the project, the intent is to connect into public sewers. He stated the development across the street is under construction, and a lateral was run under Washington Crossing Road for a future connection to public sewer. He stated as part of the project under discussion this evening, the septic system will be decommissioned and a pump station will be put in to tie into the public sewers. He stated Ms. Farrell has noted that the Applicant will not be able to tie into it until the system is dedicated which will probably not take place for a number of years beyond the time line of this project under discussion this evening.

Mr. Brown stated he had a discussion with the Orleans solicitor last week and discussed with him whether Orleans, the owner of the development across the street, would be willing to allow the Church to connect to the pipe and use that until it is dedicated to the Township; and he indicated that he did not see any reason why they would be opposed to this. Mr. Brown stated he also spoke briefly with Mr. Garton, the Township solicitor, who also agreed there was no reason for the Township to object to this.

Mr. Koopman stated the Township administration and the Sewer Authority feel that the sooner the Church can connect to public sewer the better. He stated as long as Orleans agrees that the Church can flow into their system with the understanding that once that system is dedicated to the Township, the flows would all lead to a Township system, this would be the preferable scenario. He added that one of the original Conditions of Approval for the Church was that as soon as public sewer was available, that the Church would be required to connect to public sewers.

Mr. Hanna stated there are some technical items that must be addressed in the sewer review letter as well as providing the design for the pump station, and the items are all "will comply."

With regard to Mr. Majewski's review letter, Mr. Hanna stated they will comply with the majority of the items. He stated three Waivers have been requested; and they are requesting approval of a Preliminary/Final Plan, and are requesting a Waiver from the Section that requires pavement samples since they are not doing any work out in the public right-of-way. He stated they are also requesting a Waiver regarding the requirement to mow the basin on a regular basin since it will be a naturalized basin.

Mr. Hanna stated they with comply with Items #2 and #3.

With regard to Items #4 and #6, Mr. Hanna stated they talk about providing parking islands every 20 spaces and also providing cross-walks and refuge islands for parking areas that exceed 200 feet in length. He provided a parking lot exhibit this evening. Mr. Hanna stated what they would propose to do to come into compliance with this would be to create several parking islands where they are not currently shown on the Plan, and he showed these on his exhibit. He stated they would also like to create sidewalks through the parking islands with a grass strip on one side and a sidewalk on the other side which would allow for pedestrian movement. Mr. Hanna also showed an area where there is a strip of sidewalk across the handicap parking stalls. Mr. Hanna stated they would still need a Waiver for Item #4 Section 178-57.C for the western parking lot.

Mr. Koopman asked if they would comply with Item #6 or would this be a Waiver request; and Mr. Hanna stated he feels that they would be complying based on this revised Plan, and Mr. Majewski agreed.

Mr. Majewski stated from a practical standpoint it may be that even if the sidewalk is put in people may not use it; but since it is an Ordinance requirement, they would have to comply or a Waiver would have to be given. Mr. Koopman stated these are general parking lot requirements and not specific for a church, and Mr. Majewski agreed. Mr. Koopman stated there may therefore be some basis for a Waiver since it is for a church and not a shopping center parking lot.

Mr. Hanna stated they will comply with the rest of the items in Mr. Majewski's review letter.

Mr. Hanna stated they also received a letter from the EAC. Mr. Hanna provided pictures of the views from the adjacent roads. He stated there was concern about the appearance of the lot and how big it may look from the roadway. He noted the road elevations and the existing berms. He stated the Church is amenable to expand berming in the area where the sand mound is now. He stated even though the septic system will be decommissioned, they intend to leave the mound there; and they would increase the berming along Stoopville road. Mr. Hanna stated while the EAC did discuss stormwater management, Mr. Majewski has indicated in his letter that he feels they are in compliance.

Ms. Friedman noted Item #4 of Mr. Majewski's letter regarding the planting strips. Ms. Friedman stated Mr. Hanna had indicated that there would be a piece of sidewalk on one side and grass on the other, and Mr. Hanna stated it would be a 4' sidewalk on one side. Ms. Friedman stated it also indicates that they should plant street trees from a list of acceptable street trees which will serve as a physical separation, and grass is not a street tree. Mr. Hanna stated he does not feel that there is enough room to fit a street tree although they could do some kind of planting, and they may need to request a Waiver. Ms. Friedman stated if they want to break up the parking lot 2' of grass will not do this. She stated she felt the concept was to make it look more "lush." Mr. Majewski stated the islands are 10' wide, so if they put in a 4' sidewalk, they would have 6' to put in a tree, and they would just have to be careful of the species used. Mr. Majewski stated having the 10' area they can have the sidewalk come through to provide pedestrian access and also provide a physical separation; and possibly they could even widen the island 2' more which would give 4' and 8'. Ms. Friedman stated the concept is to have it be more decorative and visually break it up.

Ms. Friedman asked if the color rendering provided this evening shows all the proposed landscaping, and it was noted that is what is proposed. Ms. Friedman asked if there was a way rather than just expanding the berm that they make small groupings of different plantings so that it creates something more than a berm. Mr. Hanna stated they could incorporate multiple beds into the berm.

Mr. Alan Dresser, EAC, stated they submitted their comments on December 7, and he is not sure that their comments were addressed. He stated he never got a copy of the Stormwater Management Plan; however, Ms. Frick stated this was provided to the EAC. Mr. Dresser asked Mr. Majewski if all the Stormwater Ordinances were complied with, and Mr. Majewski stated some minor calculations needed to be adjusted, but for the most part they do comply. Mr. Dresser asked if the peak flows are okay, and Mr. Majewski stated the peak flows and volume calculations are okay. Mr. Dresser stated he was concerned that there were no soil tests for infiltration, and Mr. Hanna stated this was submitted with the stormwater calculations, and the soil testing was done by DelVal.

Mr. Hanna stated the basin will act as a naturalized basin and will fill up and slowly release and provide the storage capacity to allow for evapo-transpiration. Mr. Majewski stated this will work similar to the Sunrise Assisted Living stormwater basin.

Mr. Dresser stated this use of porous paving will be the first time used in the Township, and Mr. Majewski stated this is incorrect as it was used at the Makefield Elementary School. Mr. Dresser stated it is very important to have a maintenance plan, and Mr. Hanna reviewed the maintenance that will be done. Mr. Dresser stated they should at least vacuum sweep it or power wash it one time a year rather than just "as needed." Mr. Majewski stated the BMP manual does not require that this be done once a year, but Mr. Dresser stated the EPA recommends it be done two to four times a year. Mr. Majewski stated even with no maintenance, the system works. He stated you can actually tell when it is not working because water will flow across the ground.

Mr. Ely stated they will train their administrator as to what to look for, and he will inspect it and they will do an appropriate cleaning when it is required. Mr. Majewski stated the Township is also required to check on this every year as part of the MS4 Permit to make sure there are no problems.

Mr. Hanna stated while they are requesting Preliminary/Final Approval, they did pay the fees for both Preliminary and Final with the initial Application, and Ms. Frick agreed.

Ms. Friedman moved, Mr. Pazdera seconded and it was unanimously carried to recommend to the Board of Supervisors approval of the Preliminary/Final Plan dated 10/1/11 taking into consideration comments of the Pennsbury School District letter dated 11/1/11, the James Yates letter of 11/19/11, the Bucks County Planning Commission letter of 11/16/11, and the EAC review letter of 12/6/11 and subject to compliance with comments made in the TPD letter of 11/30/11, the Remington & Vernick sanitary review letter dated 10/31/11, and the Remington & Vernick engineer's letter of 12/6/11. The Planning Commission supports the Waivers as noted in the Remington & Vernick review letter of 12/6/11.

INFORMAL SKETCH PLAN DISCUSSION – RICHARD E. BROWN, ARCHITECT
T.P.N. 20-14-6 – 1761 YARDLEY-LANGHORNE ROAD

Mr. Richard Brown stated he is present representing Gerald and Lee Katsoff, owners of the property at 1761 Yardley-Langhorne Road. Hand outs were provided to the Planning Commission this evening. Mr. Brown stated the first sheet of the hand out has numbered indications at the top that reference photographs that are attached. He stated Photo #1 is the existing barn structure which has been renovated on the property. Photo #2 is the existing structure on the adjacent property which is for sale, and the Katsoffs are considering purchasing this property and combining it with the property at 1761.

Mr. Brown stated Photo #3 is a front elevation of the existing property. Photo #4 shows the two structures in combination as does Photo #5, and Photo #6 is a view down Yardley-Langhorne Road showing the two properties.

Mr. Brown stated the Site Plan in the packet indicates what is being proposed and shows the two buildings that are presently on the Site. He stated Building #2 is the two-story barn structure, there is an existing garage, and an existing building. He stated it would be proposed that the existing garage structure and the existing building would be demolished, and the parking be configured as shown on this drawing and the structure built along Yardley-Langhorne Road would be a three-story structure.

Mr. Brown stated they submitted a Plan to Ms. Frick who passed it along to Mr. Majewski for comments, and he referenced the fact that the property is in the Historic/Commercial Zoning District and also in the Traditional Neighborhood Overlay District and subject to the guidelines of the Edgewood Historic District. Mr. Brown stated in that regard, Mr. Majewski recommended that the building be placed along Yardley-Langhorne Road with the parking to the rear which they have done. He stated Mr. Majewski also proposed two buildings, but they are looking to construct a single building of approximately 9,000 square feet. He stated a single building would enable them to put in an elevator and make it reasonable given the size.

Mr. Brown stated of concern is the mass of the building, and they are aware of the implications of this. He stated the Site Plans just shows a rectangular shape to the building, but included in the packet are Sketches of massing studies for this building that would break up the mass of the building and articulate the façade. He stated they would bump the front in and out to create some articulation, and they tried to vary the roofscape of the building and have dormers so that it would be compatible with the guidelines of the Historic District. Mr. Brown stated some other sketches are included which are massing studies for the Planning Commission's review. He stated they have not addressed the character of the building as yet, and they are only before the Planning Commission this evening to get their input in terms of this approach to the combination and development of the site.

Mr. Koopman asked if it would be an office-type building, and Mr. Brown stated it would probably be office although they are not certain yet. He stated there may be some retail. He stated the Township is pretty specific in the Ordinance with respect to what is permissible in the District. Mr. Brown stated they have based the parking on an office use.

Mr. Koopman asked the size of the property, and Mr. Brown stated the combined size is indicated on SK6.

Mr. Majewski stated they are calling for a three-story building up front, and he asked Mr. Brown if he can meet the 35' height requirement. Mr. Brown stated they are going to try to put the third story within the roof proper, and they will create space within the roof and with dormers so that they create a reasonable floor area. He stated they intend to stay within the height restriction.

Ms. Friedman asked if they have any three-story buildings that close to the road in the Edgewood Village concept; and Mr. Majewski stated they were contemplating two-story buildings, but they would be the same height of 35'. Mr. Brown noted the massing studies provided and stated the eave line of the building would be at a normal two-story building height, and the roof would start and they would do either a dormer or bring a gable out to create some space within the roof structure to enable some use of that space.

Mr. Pazdera asked where the driveway falls in relationship to Flowers Field, but Mr. Majewski did not know although he stated he thinks it will line up. Mr. Brown stated he has not looked at this, but he will research it.

Mr. Dickson noted SK5 which shows a parking area, and he asked if this is an existing parking lot. Mr. Brown stated currently it is just a combination of earth and gravel and is the remnants of the parking area that was there for the building that burned down. Mr. Dickson asked if that was a commercial property or a residence, and Mr. Brown stated it was a commercial use on the first floor for a certain number of square feet, and there was a residence permitted to be above although he does not feel it was ever used as such.

Ms. Friedman stated she feels this property was just Residential, and by combining them they are getting two Commercial lots. Ms. Frick stated the property on the left that is still existing is Residential; but the property on the right is the one that burned down, and this was used by Mr. Katsoff for his accounting business although many years ago it was Residential. Ms. Friedman asked if they are proposing to combine the two lots, and Mr. Brown stated they are. Ms. Friedman stated one of the lots is zoned Residential, and they will be turning it into a Commercial lot. Mr. Majewski stated they are zoned Historic/Commercial and they are in the Traditional Neighborhood Overlay District and as such it is contemplated that you could have a mix of residences, offices, shops, or it could all be Commercial. Ms. Frick stated her understanding is that the residence that is still existing has always been a residence; however, that is not to say that it could not be commercial.

Mr. Bush noted SK7, and Mr. Brown stated this is an existing barn; and when the building burned down on the front of the property, they approached the Township to use the barn as an office use, and Ms. Frick stated the Township did approve this as a temporary use because they had a hardship when the building burned down.

Mr. Dickson asked when they anticipate coming in with a formal Plan; and Mr. Brown stated if this looks reasonable, they would move forward and develop a more specific plan for the Planning Commission's review.

Mr. Bush asked if the existing home has any historic value. Mr. Brown stated he served on the HARB in Doylestown Borough for eight years and has done many buildings under the Tax Acts that were popular in the 1980's for renovations of historic buildings and has worked on many historic structures in and around Bucks County so he does have experience; and although this is an older building, he does not feel it really exemplifies any particular style of architecture or have significant architectural characteristics or features. He stated he does not see any particular historic value.

Mr. Dickson asked if the Katsoffs own both properties, and Mr. Brown stated they do not; but they are contemplating purchasing the property. Mr. Dickson asked who owns 1761, and Mr. Brown stated the Katsoffs own 1761, but he is not sure who the owner is of the other property. Ms. Frick stated it has been for sale for at least six to eight months.

Mr. Koopman asked if they intend to show this plan and discuss the issues regarding the house with the Historic Commission before they go much further, and Mr. Brown stated they would do this. He stated they know they will have to go before them, and he feels sooner would be better. Mr. Brown stated Mr. Katsoff wanted him to come before the Planning Commission tonight to see how they feel about the proposal since he is negotiating with the adjacent property owners and wants to feel comfortable that this is something he could reasonably move forward with. Mr. Brown stated they will also have to get a Demolition Permit to take down the house as well as a Certificate of Appropriateness. Mr. Koopman suggested that they go before the Historic Commission as the next step before coming back to the Planning Commission.

Mr. Dickson stated when the Edgewood Village TND was approved, he does not feel they anticipated something like this where an existing structure that fronts on Yardley-Langhorne Road would be taken down and take away what is a viewable area behind it. He stated they will be putting up a three-story building that would front on Yardley-Langhorne Road. Mr. Pazdera stated he does feel that they are doing what the Plan calls for them to do and what Carter VanDyke envisioned.

Ms. Friedman asked if they allow 80% over such a large property, and it was noted this is permitted. Ms. Friedman stated she felt this was supposed to be for small properties. Mr. Pazdera stated the intent was to develop the edge of the Village at the road with the buildings up front and the parking in the back. He stated he feels they are on the right track, but they must reach an agreement with HARB as to how to break up the mass of the building. Mr. Brown stated he feels HARB will also be considering what it means to lose that building and put up another structure there.

Ms. Friedman stated there is nothing "quaint" about what has been presented. Mr. Brown stated this Plan before the Planning Commission just suggests a footprint, and they would work on it to meet the guidelines that have been developed for Edgewood Village.
Ms. Friedman stated she feels that what has been shown is stark. Mr. Pazdera stated this is just an early sketch.

There being no further business, Mr. Pazdera moved, Ms. Friedman seconded and it was unanimously carried to adjourn the meeting of 9:45 p.m.

Respectfully Submitted,

Karen Friedman, Secretary