

TOWNSHIP OF LOWER MAKEFIELD
PLANNING COMMISSION
MINUTES – AUGUST 14, 2023

The regular meeting of the Planning Commission of the Township of Lower Makefield was held in the Municipal Building on August 14, 2023. Mr. Gill called the meeting to order at 7:30 p.m.

Those present:

Planning Commission: Adrian Costello, Chair
 Tejinder Gill, Vice Chair
 Colin Coyle, Secretary
 Tony Bush, Member
 John DeLorenzo, Member

Others: James Majewski, Community Development Director
 Dan McLoone, Planner
 Barbara Kirk, Township Solicitor
 Paul DeFiore, Township Engineer

APPROVAL OF MINUTES FROM THE 6/12/2023 MEETING

Mr. Bush moved and Mr. Costello seconded to approve the Minutes from the June 12, 2023 meeting as written. Motion carried with Mr. Gill abstained.

#691 – POINT (TROILO) LAND DEVELOPMENT – Time Expires 10/10/2023

PRELIMINARY PLAN APPROVAL DISCUSSION

Tax Parcel #20-021-003

H-C Historic Commercial Zoning/TND Traditional Neighborhood Development Overlay
1674 Edgewood Road at Yardley-Langhorne Road

Proposed renovation of the existing Ismael House into a 1-unit dwelling, replication of the existing Quill House into a 2-unit dwelling, construction of 1 new 2-story dwelling containing 2 units and 2 new 2-story dwellings each containing 4 units with 28 on-site parking spaces

Mr. Ed Murphy, attorney, was present with Mr. C. T. Troilo and Mr. John Richardson, project engineer.

Mr. Murphy stated they are not seeking any action this evening , but wanted to update the Planning Commission as to where they stand with regard to the recent round of review letters which have been issued. He stated this project has been the subject of numerous public meetings and discussions over the past three to four years. He stated Mr. Troilo had many meetings with HARB to discuss various iterations of the project, and he believes that we are now at a point of consensus on that. Mr. Murphy stated there were also multiple meetings with the Planning Commission, and they have also gone before the Zoning Hearing Board and to the Board of Supervisors over the years with different plans. He stated based on the Zoning Hearing Board Decision, he now feels that the Plan that has been engineered and is before the Planning Commission has been met with favor from the various stakeholders who have considered it.

Mr. Murphy stated after the Zoning Hearing Board rendered its decision, Mr. Richardson’s office engineered the Plans based on that decision; and the review letters that were received in May, June, and August are all reflective of review comments based on those submitted Plans. He stated Mr. Troilo and Mr. Richardson have had the opportunity to discuss the comments with the Township. Mr. Murphy stated most of the comments are “will complies,” and those revisions will be reflected in the next set of Plans that are submitted.

Mr. Murphy stated based on the review comments there were some issues that were the subject of inconsistent recommendations among the Township's consultants that they felt they should try to clear up before they proceeded much further.

Ms. Kirk asked if other than the comments that Mr. Murphy will discuss now, everything else is a "will comply;" and Mr. Murphy agreed.

Mr. Murphy stated with regard to an emergency access, there was a comment from the Fire Service Director suggesting that they need to provide an emergency access on Langhorne-Yardley Road, but that is inconsistent with the recommendation of the Township's traffic consultant and the Township staff as well.

Mr. Richardson stated during previous consultations with the Township, especially with Mr. Troilo, it was indicated that the Township would not like to see driveways and parking lots along Langhorne-Yardley Road. He stated the site was designed to prevent any entrances on that road. He added that they understand the need for emergency access and perhaps a seconded entrance/exit; however, the Plan in its current configuration is what the Township directed them to do. He stated they are looking for direction moving forward.

Mr. Richardson noted on the Plan the area where they understand that the Fire Marshall would like an emergency access only on Langhorne-Yardley Road.

He stated they can provide that if the Township decides that they want it.

Mr. Gill asked what is the resistance to putting it there, and Mr. Richardson stated the Township had directed them that they did not want parking lots or driveways along Langhorne-Yardley Road. Mr. Murphy stated they will do it, but the issues is if there is a consensus on the Township's side that that would be an appropriate modification to the Plan.

Mr. Costello stated we had this discussion before with the Marrazzo condos that were built, and they had to put in an emergency entrance that is chained off on Yardley-Morrisville Road. Mr. Murphy stated the Applicant would be willing to do that. Mr. Costello stated while he does not feel it is aesthetically-appealing, he recalls that there were reasons for it. He stated he feels the Township would have to explain why it would not be necessary for this development but was necessary somewhere else. Mr. Costello stated he assumes that having multiple access routes for public safety is something we probably have to have.

Mr. Richardson noted a Section of the Code which is referenced in the letter from Mr. Chamberlain, and he agrees that the Applicant should follow his recommendation.

Mr. Murphy stated the next issue is the recommendation for a mid-block crossing that was received previously; however, the Township's traffic consultant recommended against that. Mr. Richardson stated it was requested that they provide a crosswalk across Edgewood Road preferably at the corner, but that was quickly dismissed as not a prime location. Mr. Richardson stated it was agreed there would be a mid-block crossing which is a crossing that would not be on the corner. He stated the Township had directed that they wanted that, and it had been added. Mr. Richardson stated he believes the Township's engineer, Mr. Pockl, was not opposed to that; however, the Township's traffic engineer was opposed to it. Mr. Murphy stated the Township's traffic engineer felt that a mid-block crossing would be detrimental to public safety.

Mr. Coyle stated the alternative would be put the crossing near a relatively-blind curve; however, Mr. Richardson stated the alternative would be to have no crossing. Mr. Costello stated he feels that is a bad answer when there is a restaurant across the street from these residences as the residents would not want to have to drive there. Mr. Coyle stated there is also the grocery store and other stores. Mr. Coyle stated given the options, he feels a mid-block crossing is safer than the other alternatives. Mr. Costello stated they could ask the traffic engineer if we have to have a crossing, where he would recommend putting it.

Mr. Joe Fiocco, the Township traffic engineer, stated his comment was that it could be detrimental; but he does not have enough information to form an opinion at this point. He stated he asked for speeds and turning movements at the intersection and along the frontage. He stated they would like to know how fast vehicles are traveling from the intersection across the proposed mid-block crossing and if there are any pedestrians crossing at that particular intersection at this point, and they could formalize a pedestrian crossing at the intersection if it is needed. He stated he does not have enough information at this point, but he felt it could be detrimental depending on what the data shows.

Ms. Kirk asked if Yardley-Langhorne is a State highway, and Mr. Fiocco stated it is. Ms. Kirk asked if it is possible to get PennDOT approval for a pedestrian light like there are at other crossings where if someone wants to cross, they push a button and the lights flash to warn oncoming vehicles of a pedestrian walking across the road. Mr. Fiocco asked Ms. Kirk if she is asking about Edgewood Road or Langhorne-Yardley Road, and Ms. Kirk stated it would be for wherever the mid-block crossing would be. It was noted that would be on Edgewood Road. Mr. Murphy stated Edgewood Road is a Township road. Ms. Kirk asked if that would be more feasible to eliminate a public safety hazard. Mr. Fiocco stated he does not know if we have a hazard as

we do not know the number of vehicles, how fast they are going, or if there are pedestrians at the intersection. He stated he would like to know what is going on in the area before he makes a recommendation as to whether we create formalized pedestrian crossings at the intersection of Langhorne-Yardley and Edgewood. He stated if there is no one crossing at that intersection and the speeds are reasonable along Edgewood, a mid-block crossing may be appropriate. He stated he does not feel we would need to jump to a signal, but something needs to be formalized with signs and striping. Mr. Murphy stated Mr. Fiocco's letter asked for the info about speed studies, and with that information, we might all be able to make an informed judgment.

Mr. Bush stated he feels the Township needs a lot more information not necessarily from the Applicant about where to do this. Mr. Bush stated he feels a mid-block crossing, not at the intersection, should be looked at very closely. He stated there will be a lot more vehicular traffic there when the Wegman's goes in on the other side of 295. He stated there is also a chance that the Giant Shopping Center will be re-developed, and there may already be discussions about that behind the scenes. Mr. Bush stated there also need to be places where the residents of this proposed development will be able to cross safely to the restaurant across the street.

Mr. Bush stated a crossing at the corner is probably not a safe idea since it is blind right now.

Mr. DeLorenzo stated he feels sometimes the pedestrian crossings give people a sense of security that is not really there; and they think that because they are in the crossing, they will be noticed. He stated he is concerned that drivers are coming into this area and deciding which way they are going to go at the point, and will then look up and see someone in the middle of the crosswalk.

Mr. Costello stated he feels that we need to come up with some kind of pedestrian crossing solution or we are setting up a situation where jaywalking is expected. Mr. Fiocco stated he feels there is definitely a need for a crossing as they are putting apartments on the north side and there are destinations that pedestrians are going to walk to get to on the south side. He stated the question is where is the best place to have that crossing. He stated that is why they are looking for more data.

Mr. DeLorenzo stated he feels it should be as far from the “Y” as possible on Edgewood. Mr. Gill stated he also feels that there should be lighting if there is going to be a pedestrian crossing as it is dark in that area.

Mr. Murphy stated based on Mr. Bush's comments, he feels we need to wait to allow the Township to consider this further before a decision is made. He stated while the Township is working on this, the Plans will be revised; and when the Applicant comes back, the Township can tell them about the crossing.

Mr. Gill stated he felt there had been discussion about putting a structure at the end where Yardley-Langhorne and Edgewood meet. Mr. Richardson stated there was a meeting at the site with the Township engineer, and at that meeting the Township engineer had recommended that they install a "pork chop island" at the intersection that would direct drivers coming down Edgewood to turn to the right almost perpendicular to Langhorne-Yardley to increase the sight distance past the historic structure on the corner. Mr. Richardson stated other than that, there are no improvements at the intersection.

Mr. Murphy stated that while this is a "battle that the Applicant is not going to fight," Item #1 in the traffic review letter suggests that the building at the corner be removed.

Mr. DeLorenzo stated while he is a new member on the Planning Commission he attended the site visit, and asked himself why they were keeping that building. He stated it is a dangerous intersection, and no one can see anything. He stated the building is falling down, and you cannot see anything at that

intersection. He stated the Applicant is going to spend money to fix up that building, but he does not feel it does anyone any real benefit. Mr. DeLorenzo stated it would create much more visibility at the corner if the building were removed.

Mr. Murphy stated they are following the recommendation of HARB to keep that building. Mr. Bush advised Mr. DeLorenzo that this has been going on for twenty years where there has been discussions of saving these historic buildings. He stated there is information in one of the letters that 40% of the historic buildings that were part of the Historic District are no longer there. He stated these two buildings are historic buildings. Mr. Bush stated he agrees that the visibility would be improved tenfold if the building were not there. Mr. DeLorenzo stated he understands that a decision has been made, but as a new member who went to the site, his perspective was that the building was not helpful from a safety perspective. He stated he understands that the decision was made that keeping this historic building is more important than visibility at the intersection.

Mr. Costello stated he recalls that at a previous meeting he had asked if that building could not be moved, and someone had indicated that there was something about the structure so that it could not be moved.

Mr. Troilo stated he believes that it had to do with historical content;

and even though you are saving the building, by moving the building, you are decreasing the value of the Village.

Mr. Coyle asked if since the Township is looking at plans for Patterson Farm, would it be worthwhile to look into relocating the structure there. Mr. Murphy stated they would not be interested in getting into another battle for another decade about this. Ms. Kirk stated another issue is that this is privately-owned and Patterson Farm is Township-owned property. Mr. Coyle stated he was just looking to see if there was a solution to combine two efforts occurring at the same time. He stated he understands that the developer would not want to wait for that process to be completed before they could move forward.

Mr. Bush stated the Planning Commission can make a different recommendation than HARB, and it would be up to the Board of Supervisors to make the final decision about that building.

Mr. Costello asked if the discussion ever happened about re-locating that structure somewhere else on the same plot of land. Mr. Majewski stated that was discussed, and the Historical Commission and the Historical Architectural Review Board were not in favor of that indicating that would ruin the historical context of the building. He stated the building has been

there since the 18th Century. Mr. Costello stated “New Hope did it with Odette’s and it worked out fine.”

Mr. Fiocco stated when you pull up to the edge of Langhorne-Yardley Road, you do have adequate sight distance looking left and right; and it is only when you stop back at the stop bar that you cannot see to the right because of the building. He stated the problem is that if we were to bring the stop bar up to the edge of Langhorne-Yardley Road, we could be creating a problem with left-turning vehicles wanting to get onto Edgewood Road from the north. He stated that is another reason why he wants volumes so that he can see what is going on and what kind of truck traffic is turning there, before he makes a recommendation as to the best way to control the intersection. He stated any modification being considered could negatively affect the intersection.

Mr. Coyle stated while this would involve PennDOT because Langhorne-Yardley Road is a State road, he feels putting a no left-turn sign there for drivers heading up from Mirror Lake would eliminate the concern about the left turns being blocked by a driver moving forward. Mr. Fiocco asked where they would make a left; and Mr. Coyle stated they could come up Mirror Lake Road, which is the prior intersection, and then turn onto Edgewood if you need access to that short parcel of Edgewood.

Mr. Majewski stated he believes that the issue is mainly with trucks, and he asked if it would be possible to petition that trucks be prohibited from making that left turn. Mr. Costello stated that was done in Yardley. Mr. Fiocco stated Edgewood Road is a Township road; and if there is the need to ban trucks, we can do that.

Mr. Coyle stated if we eliminate left turns from Yardley-Langhorne onto Edgewood, that safety concern is eliminated; and it would involve a sign instead of anything more expensive.

Mr. Fiocco stated his concern is that this development is creating pedestrian movements across Edgewood Road to the south, and they need to be able to safely do that; and we need to decide how to best accommodate that. He stated until we have the data of how many vehicles, how fast vehicles are traveling, and how many people are turning at the intersection, he cannot provide his opinion as to the best way to get pedestrians from the north to the south. He stated his letter is asking the Applicant to provide us with the data so that we can make a recommendation that is best for everyone involved.

Mr. Costello stated the traffic engineer needs to get this data from the Applicant so it can be determined what is the best solution. Mr. Murphy stated he feels it is a combination of the Township and the Applicant collaborating on identifying what data is relevant to make an informed judgment about that, and the Applicant will work on that.

Mr. Murphy stated the EAC frequently disagrees with the Township engineer about managing stormwater and calculations, and the Applicant will defer to the Township engineer to resolve any issues with the EAC about Item #3 in the EAC letter. Mr. Murphy stated Item #4 of the EAC letter is a recommendation for the use of pervious paving in the parking lot, and the Applicant does not feel that is a good idea given the likely amount of use that parking lot will receive. He stated historically porous paving works best in low-volume, low-use parking areas, and they do not expect this to be one of those. He stated they would recommend use of typical macadam paving.

Ms. Kirk asked if everything else in the R & V letter is a “will comply,” and Mr. Murphy agreed. Ms. Kirk noted Page #4, Items #39 and #40 specifically the mention about the green space under the Zoning Ordinance, and she wants to make sure it is clear that will be a “will comply.” Mr. Murphy stated “the Plan has it, and we comply, then yes.”

Mr. DeFiore stated he was at a neighboring property, and he would ask for confirmation that the larger specimen trees will not be affected. He stated a landscape architect/arborist is required to look at the site to conform that there will not be any impact to the trees that are proposed to remain.

Mr. Murphy stated he believes that Mr. Troilo has talked to that property owner.

Mr. DeFiore stated when the Applicants are making their revisions, they should address the matter of the stormwater detention basin. He stated he would advise pulling that away from the property line. He stated it appears that there is adequate space in the parking area to make that more slender and longer to avoid disturbance of the tree roots.

Mr. Richardson stated he spoke to the neighboring property owner and agreed that they would look into that. He stated there is sufficient space to pull that away.

Mr. DeFiore stated his office reviewed the request for a Waiver to not provide curbing. He stated he sees that there are wheel stops where there is parking and portions of the parking area that are not curbed. He stated his office feels that curbing would help for those areas and would also would help direct stormwater to be captured. He stated there is potential impact with the roots so that there is a tight balance.

He especially noted the area to the north that does not have a wheel stop.

He stated he does not believe there is as much of a risk to the trees there, but they would need someone to confirm that. He stated the tulip tree further south is a concern. He asked that they re-consider if any curbing can be installed, and Mr. Richardson agreed to look into that.

Mr. Murphy stated they will begin revising the Plan, will coordinate feedback with the Township about the information needed for the mid-block crossing, and will address the other comments. He stated the expectation is that the next time they come before the Planning Commission they would be looking for a recommendation so that they can then go to the Board of Supervisors.

Ms. Kirk asked about an Extension since the expiration is September 30, and

Mr. Murphy stated they will request an Extension.

APPROVAL OF BUCKS COUNTY PLANNING COMMISSION COMMENTS ON
PROPOSED AMENDMENTS TO THE SUBDIVISION AND LAND DEVELOPMENT
ORDINANCE RELATED TO OPEN SPACE DEFINITIONS AND REQUIREMENTS

Mr. McLoone noted Comment 1.A and stated he will take out the definition for “open space” noting that the definition for “open lands” will be a little short.

Mr. McLoone noted Comment 1.B which is a request to change “un-remediated” to “not been remediated,” and he will make that change.

Mr. McLoone read Comment #3 and he stated he can put that in SALDO if the Planning Commission agrees. The Planning Commission was in favor of this.

Mr. Coyle stated by practice most Plans that come before the Planning Commission have a registered architect work on them anyway.

Mr. McLoone noted Comment #2. Mr. Bush stated there had been extensive conversations about making these consistent with one another in both places and that was part of the Planning Commission recommendation to the Board of Supervisors. Mr. Bush stated he would be in favor of ignoring this recommendation. Ms. Kirk stated they are saying that rather than having these comments in both Zoning and SALDO, we should pick one; and the Planning Commission was concerned that it could be more confusing if it was just in Zoning and not in Subdivision and Land Development. Mr. McLoone stated we will ignore #2.

Mr. McLoone stated he will make the changes and work with Ms. Kirk's office as far as advertising. Ms. Kirk stated this has not yet been approved yet for advertising by the Board of Supervisors. She stated once the Board approves that it be advertised, Mr. McLoone can work with her office to prepare the appropriate notice since under the MPC there must be a very specific description of the Ordinance to be considered.

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Mr. Bush moved, Mr. Costello seconded and it was unanimously carried to accept the recommendations of the Bucks County Planning Commission as to Items #1 and #3 and direct the Township to make those revisions before submitting to the Board of Supervisors.

Mr. Costello moved, Mr. Coyle seconded and it was unanimously carried to adjourn the meeting at 8:10 p.m.

Respectfully Submitted,

Colin Coyle, Secretary