

TOWNSHIP OF LOWER MAKEFIELD
PLANNING COMMISSION
MINUTES – AUGUST 12, 2013

The regular meeting of the Planning Commission of the Township of Lower Makefield was held in the Municipal Building on August 12, 2013. Chairman Bush called the meeting to order at 7:35 p.m.

Those present:

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

Others: Nancy Frick, Director Zoning, Inspection, & Planning
 Nathan Fox, Township Solicitor
 Maryellen Saylor, Township Engineer
 Kristin Tyler, Supervisor Liaison

Absent: Mark Fried, Planning Commission Member

APPROVAL OF MINUTES

Ms. Friedman moved, Mr. Dickson seconded and it was unanimously carried to approve the Minutes of June 10, 2013 as corrected.

Mr. Pazdera moved, Ms. Friedman seconded and it was unanimously carried to approve the Minutes of June 24, 2013 as written.

COMPREHENSIVE MASTER PLAN UPDATE AND DISCUSSION

Ms. Lynn Bush and Ms. Lisa Wolff from the Bucks County Planning Commission were present. Ms. Bush stated there was previous discussion about Park and Recreation planning where they had several questions. She stated Ms. Wolff has met with staff and other Township members to get answers to some of the questions. They also clarified the question regarding Five Mile Woods and its role in the composite of Open Space and Park and Recreation. Ms. Bush stated they have provided the Chapters dealing with development trends and population and housing, and they are able to review these tonight or answer any questions. She stated they also invited the Citizens Budget Committee and the Economic Development Commission to attend this evening. Ms. Bush stated they have also provided the working Land Use Map which maps the land uses of the Township that was updated as of 2012.

She stated they will leave this with the Township to review adding that they are still making refinements to it.

Ms. Wolff stated at the last meeting they reviewed the Park and Recreation Chapter, and there were a number of questions and updates they needed. She stated that subsequent to that meeting she met with Ms. Liney, the Park & Recreation Director, as well as several other individuals from the Park & Recreation Board. She stated she was provided a lot of information. She stated at the last meeting there was a calculation provided in terms of core recreation land, and they had included Five Mile Woods into the Park and Recreation land based on information she had taken from the Township's Website. Ms. Wolff stated one of the questions they had when they were working on the draft was what was the most recent planning document, and since then they have learned that it is the 1997 Plan and that Plan indicates that the Five Mile Woods should not be used to calculate the core recreation land requirements. She stated the conclusion they drew last month that there was sufficient land to meet the core requirements will now change because they will be taking out the Five Mile Woods. She stated Five Mile Woods will be counted in the Open Space Chapter. Ms. Wolff stated she has been invited to attend the next Park & Recreation Board to be held in September, and she will be reviewing the revised Chapter with them, and then review it with the Planning Commission the next time they discuss the Comprehensive Plan Update.

Ms. Wolff noted the Chapter provided this evening on development today and projected changes which discusses population, housing, land use, and future land use. She stated the Planning Commission has received the draft regarding population and housing. She stated most of the information in the draft is information that the Planning Commission saw in May. Mr. Bush stated that given the number of people present this evening to discuss other issues on the Agenda, he suggested that the Planning Commission just ask questions as opposed to listening to a review of this information. The Planning Commission members had no questions at this time. Ms. Wolff asked that the Planning Commission members contact them if they have any questions at a later time.

There was no one present this evening to speak on behalf of the Economic Development Committee.

Mr. Joe Menard, Citizens Budget Committee, was present and stated the Citizens Budget Committee is trying to put together a long-term plan for Capital and Operating for the Supervisors. He stated he is very interested in the changes in population because those projections impact the long-term needs of the Township.

He stated there will be changes in population as a result of the Regency project at the Matrix site. He stated this is probably the last area in the Township that will have a major impact in terms of development which impact Police protection, roads, and the infrastructure in the Township; and the Citizens Budget Committee wants to look at this so they can advise the Supervisors how to plans for these changes both on the Operating side and the Capital requirement side.

Ms. Bush noted the Land Use Map which has been provided this evening which they will leave with the Township for review by the Township staff and the various Committee members. She stated this Map highlights the existing land use and has percentages of open space and Residential. She stated she has some issues with it already adding that it came from their Board of Assessment information so there is information that they all know at the local level better than the Board of Assessment does so she will continue to check on this.

Ms. Bush stated they will continue their meeting schedule into September.

#560-A – FREEMAN'S FARM @MAKEFIELD (A/K/A FERRI TRAC) FINAL PLAN DISCUSSION AND APPROVAL

Mr. Edward Murphy, attorney, was present and stated there have been a number of prior meetings on this project both by the Planning Commission and the Board of Supervisors. He stated at their April, 2012 meeting, the Board of Supervisors granted Preliminary Plan Approval subject to a list of Conditions. Since then some outside agency Permits and Approvals that were questioned at the time of the Preliminary Plan Approval, have been obtained. He stated Final Plans were submitted and subject to an initial review, and Revised Plans were submitted and are subject of the most recent review.

Mr. Murphy noted the June 30, 2013 Boucher & James review letter. He stated the first page summarizes the background of the project. He stated nothing has changed in terms of the lay out, footprint, and number of lots; and everything that was seen at the Preliminary Plan is on this Final Plan as well. Mr. Murphy stated Page 2 summarizes the Waivers which were previously granted by the Board as part of the Preliminary Approval of April, 2012.

Mr. Murphy stated with regard to the Zoning Ordinance Comments, they will comply with Item #1 and Item #2.

Mr. Murphy stated with regard to the Subdivision and Land Development Section, they will comply with Item #3 a, b, and c; and with regard to the General Comments, they will comply with Items #4 through #11. They will also comply with Items #12 and #13 under the Environmental Comments.

Mr. Murphy stated they will comply with Items #14 through #18 with regard to the Remington, Vernick & Beach Engineers review letter and Items #19 and #20 which are Traffic Comments.

Mr. Murphy stated there was significant discussion about storm water issues during the Preliminary Plan discussions, and as part of the Preliminary Approval there was a procedure set up for the Township engineer to make sure that certain recommended changes to the Plan that were required by the Board of Supervisors were in fact addressed on the Plan. He added that there was an on-site meeting to make sure that certain agreements that were reached had been implemented, and all of those commitments are included in the Final Plan set.

Mr. John Bossman stated all of the neighbors on Hilltop are concerned about storm water and the ground water. He asked if there is an outflow that is going to take the water to storm water management systems in Lower Makefield. He stated there is a “bowl” there. He stated everyone is trying to say that it pitches to Big Oak; however, it breaks at a certain point. He stated the Falls Township residents are concerned that they are going to get water.

Mr. Bush stated these issues were raised previously, and they have been addressed by the Township engineer. Ms. Saylor stated the property falls away from the Falls Township Municipal boundary. Mr. Bossman stated he wants to make sure the out flow goes to Lower Makefield because he is concerned about ground water. Mr. Murphy stated Mr. Eisold made some recommendations related to this including installing U-drains in certain sections of the roadway closest to the neighbors at a depth sufficient to make certain that any water would flow toward the wetlands and toward Big Oak Road and not toward the neighbors next door. Mr. Murphy stated in addition to super elevation of the road, there were other things that were done that are incorporated into the Plan that were agreed upon at the Preliminary Plan Approval to address that issue, and Ms. Saylor agreed.

Mr. Ray Shaefer, Big Oak Road, asked if there has been any contingency as far as gas lines for the development for heating. He stated Big Oak Road does not have gas lines, and he has contacted PECO about getting gas lines in the area so that they could convert to gas. Ms. Saylor stated she does not see any gas lines. Mr. Shaefer stated he assumes these new homes would have oil or electric heat.

Mr. Dickson moved, Mr. Pazdera seconded and it was unanimously carried to recommend to the Board of Supervisors Approval of the Final Plan, Plans last revised April 16, 2013 subject to compliance with the Boucher & James letter dated June 3, 2013.

#627 – WRIGHT AND HYER PROPERTY MINOR SUBDIVISION PRELIMINARY/FINAL PLAN DISCUSSION AND APPROVAL

Mr. Edward Murphy, attorney, was present with Mr. Dean Riniker, engineer. Mr. Murphy stated this relates to the Lot Line change involving the Wright and Hyer properties. He stated the Wright Farm extends from Lindenhurst Road over to the interchange of I-95 with the Newtown By-Pass. He stated the principal access to the Wright Farm is closer to the By-Pass. He stated closer to Lindenhurst Road is the access to the Hyer property. He stated the Hyer property is entirely surrounded by the Wright Farm.

Mr. Murphy stated what is proposed is that slightly over one acre would be transferred from the Hyer Estate. He stated the property is currently vacant. He stated this acreage would be transferred to the Wright family for an addition to their farm. He added that the Wright Farm is preserved; and if the Lot Line change is approved, they intend to incorporate this additional acreage into the Wright Farm. He stated there is no expectation of development of this piece.

Mr. Murphy stated the Hyer Estate property is oddly configured. He stated they would be taking approximately one acre and adding it to the Wright Farm, and the resulting acreage of the Hyer Estate would be a little over two acres. He stated currently if you exclude rights-of-way, etc. the Hyer Estate is 3.2 acres; and when the Lot Line change if approved would be completed, the net result acreage would be 2.2 acres.

Mr. Murphy stated the Plans were submitted in March, and were the subject of a review in May; and in response to that review, Revised Plans were submitted, and a new review letter was issued on July 10, 2013 from Boucher & James. Mr. Murphy stated Page #1 of that letter is background information and identification of the different documents that were included in the Plan submission. He stated with regard to the Zoning Ordinance Comments, they will comply with Items #1 and #2.

Mr. Murphy stated with regard to the Subdivision and Land Development Ordinance comments, Item #3 is a request for a partial Waiver so they do not have to show some information that is some distance away and at some cost to provide. He stated since they are not creating a building lot and are just merging this acre into the overall Farm, he does not feel that this should be necessary. He stated they will

comply with Item #4. He stated with regard to Item #5, they are requesting a partial Waiver so as not to have to show all the detail within 800' of the property provided they submit an aerial to the Township or some other information. Mr. Murphy stated with regard to Item #6 with regard to the identification of any buildings of any historical significance, as requested they did provide the Plans to the Historical Commission but they have not received any response to date. Mr. Murphy stated Item #7 discusses a Waiver from the Erosion and Sedimentation Control Plans; and since they are not proposing any earth disturbance, there is no reason to do this.

With regard to the Miscellaneous Comments, Mr. Murphy stated Item #8 references the fact that the Municipal Boundary between Lower Makefield and Newtown cuts through the rear of the property line between Hyer and Wright; and they have as requested submitted Plans to Newtown Township, but they have not received any comments back.

Mr. Murphy stated they will comply with Items #9 and #10.

Mr. Murphy stated with regard to Item #11, this relates to the Conservation Easement; and as of today the Easement on the Wright Farm does not include this additional acre being discussed. He stated if they are able to buy this acre, they would agree to amend the Conservation Easement to make it include the additional acreage that is the subject of this Lot Line Change.

Mr. Bush asked what will happen to the remaining Hyer property, and Mr. Murphy stated it would be offered for sale. He added that it has been vacant for some time, and the heirs intend to market and sell it.

Ms. Michelle Sherry stated she feels this is a good plan to preserve some more land, and she hopes that it will be Approved.

Mr. Dickson moved, Mr. Pazdera seconded and it was unanimously carried to recommend to the Board of Supervisors Approval of the Preliminary/Final Minor Subdivision/Lot Line Change Last Revised 5/30/13 transferring one acre from Tax Parcel #20-002-001 to Tax Parcel #20-003-039 subject to compliance with comments in the Bouche & James letter dated 7/10/13. The Planning Commission supports the Waivers as requested.

#629 – MOON NURSERIES SKETCH PLAN DISCUSSION

Mr. Edward Murphy, attorney, was present with Mr. Greg Glitzer, engineer. Mr. Murphy stated the site is slightly larger than twenty-nine acres and is Zoned R-1. He stated the Sketch presented is intended to be a Plan that represents a By-Right subdivision of the property based on the existing R-1 Zoning standards. He stated after they receive feedback this evening along with the comments from the Township staff, they will proceed with the more detailed engineering of the site.

Mr. Glitzer showed the Plan submitted noting the location of Quarry Road. He stated the site is slightly over twenty-nine acres, and the boundary is fairly irregular with the southerly boundary line following the bed of Core Creek; and on the west side it bounds the Hillside Lane Subdivision. He stated they are presenting a By-Right Plan which means that they are not utilizing any of the open space options primarily because the natural resource protection land is only 35% of the total site. He stated this keeps the open space option out of reach for this particular Plan. He stated with the 35% natural resource protection requirement of the whole site, it yields a minimum lot area of 34,000 square feet and a minimum lot width of 140 feet. Mr. Glitzer stated the Plan proposes fifteen single-family homes of a minimum size of at least 34,000 square feet.

Mr. Glitzer stated they rely on primary access to Quarry Road with the entrance at the approximate location where the entrance to the nursery is currently located. He stated they also provide an extension from Hillside Lane for access into the site as well.

Mr. Glitzer stated the site is fully lotted out which means that it is a large-lot approach where all of the land despite some of the irregular sizes and shapes are all allocated to a lot. He stated there would be Conservation Easements on the resource areas on certain lots.

Mr. Glitzer stated existing improvements are the nursery operation and a fair amount is under roof. He stated there is also blacktop parking. He noted the nursery area to the south of the buildings where there is a crushed stone surface so there is existing impervious surface. Mr. Glitzer stated the stormwater management plan will take into account some reduction in the existing condition. He stated they have a good review from the EAC that gives some good suggestions.

Mr. Glitzer stated that have not really started the engineering, and when the Plans were submitted they did not have all of the site data; however, since that time they have a more detailed survey. He showed a survey with Quarry Road at the top of the Plan. He stated this shows the wetlands and waterways delineation along Core Creek. He stated most of the Core Creek corridor is a jurisdictional waterway. He stated there are a few isolated wetlands pockets within the floodplain, and there is a 100 year floodplain for Core Creek that is in the area. He stated this is separated from the upland area, and he noted the steep slopes. He stated the faint shading is the limits of the stone, and the darker shading is the existing paving which will all be taken up and restored to the extent that it will be in lawn areas.

Mr. Glitzer stated with regard to stormwater, from what they know now, they would rely on on-lot controls for the low-year volumetric control and water quality. He stated for meeting peak rate controls, they will probably have a multi-cell, naturalized wetland basin. He stated it is currently shown between Lots #10 and #11. He stated most of the run off will be concentrated back where Lot #8 is, so the structure may be re-located to that part of the site so that there is more filtering before it is discharged to Core Creek.

Mr. Glitzer stated they have received reviews from the Township engineer, Bucks County Planning Commission, the water and sewer consultant, and the EAC.

Ms. Friedman asked the plans for the continuation of Hillside Lane, and Mr. Murphy stated this would be a decision for the Township to decide. He stated from a planning standpoint, the developer is always encouraged to provide two means of ingress and egress, but they will do whatever the Township directs whether it is to fully open up the road or use it for emergency access only; and they would take direction from the Planning Commission and the Board of Supervisors.

Ms. Friedman stated she is concerned that people will use this as a cut through to avoid the Quarry Road light. Mr. Murphy stated they will do whatever the Township wants.

Mr. Bush asked if the Township has commented on this issue with regard to Hillside, and Ms. Saylor stated they could look at whether it should be for emergency access only and also suggested that Emergency Services look at this as well.

Ms. Friedman stated Hillside is one of the narrowest streets in the Township, and she is concerned that if a car were parked on one side in the older development a fire truck may not be able to get through. Mr. Murphy stated he feels that street is 20' wide.

Ms. Helen Richardson, Hillside Lane, stated she has lived here for fourteen years. She expressed concern with the little notice that the residents received. She stated she did not receive her letter until August 8. She stated her comments this evening would be subject to further consultation with her own experts. She stated she is concerned about extending Hillside Lane which is a dead end, narrow street and extending it would fundamentally change the essential character of the neighborhood. She stated they are getting more residents with small children. She stated if there is a car parked on the street, they would not be able to get a fire truck through.

Ms. Richardson stated she is also concerned about what this could do to the water table since they have wells. She stated she is also concerned about stress on the electric grid. She asked what tax relief the Township will offer the existing residents in terms of degrading their property values. She stated she does recognize that there is a long process between the Sketch and the finished engineering, but as it is currently graded the people on the south side of Hillside Lane would have a lot more water coming into their yards. She stated she does not know whether the storm sewers have the capacity to handle the additional demand.

Ms. Richardson asked why they would need to have more than one entrance when there are only fifteen homes being serviced. She stated extending the road would do irreparable harm, and she asked that the Board take this into serious consideration. She also questions if this matter should even be on the Agenda this evening because of the short notice the residents received.

Ms. Linda Wallace, Quarry Road, stated Quarry Road is also very narrow. She stated there is also a major curve, and she asked if this will be changed; and Mr. Murphy stated they are not proposing that this be changed.

Ms. Irene Koehler, 25 Spring Lane, stated she lives at the corner of Spring Lane and Hillside Lane; and she would object to Hillside Lane being opened. She stated they have a very private neighborhood which is safe and quiet, and they are concerned that people will cut through to avoid the light. She noted the increased traffic because of funerals at the Veterans Cemetery.

Ms. Michelle Sherry, 1256 Bridle Estates, asked that the existing residents be protected with regard to flooding issues. She stated she has lived at Bridle Estates for fifteen years, and twelve years ago there was a bad storm and the little creek became a “raging river.”

Mr. Bill Koehler, 25 Spring Lane, asked if there will be public water and sewer. Mr. Glitzer showed on the Plan the public sewer line which serves Mr. Koehler's neighborhood and runs through this property. Mr. Koehler asked if there is not a moratorium on hook ups, and Mr. Glitzer stated there is not for Core Creek. Mr. Koehler asked if gas lines will be run into this new development, and Mr. Glitzer stated they have not gotten that far. He stated they would like to get gas there. Mr. Koehler asked why they could not have two entrances to the new development on Quarry Road; and Mr. Glitzer showed the limit of their frontage, and he stated they could not get another access onto Quarry Road.

Mr. Murphy stated the intention is for the new lots to have public water and sewer.

Ms. Sherry asked the name of the developer, but Mr. Murphy stated this has not been decided at this time.

Ms. Martino asked if someone has purchased the land, and Mr. Murphy stated there has been no formal Agreement. Ms. Martino showed her home on the Plan, and she stated currently there is a trench because water was flowing into her yard. She asked that they consider this so that water does not go into her home again. Ms. Martino stated in looking at the Plans it seemed that they were going to have a greenbelt, but Mr. Glitzer stated they are not. Ms. Martino asked what will happen with the existing fence, and Mr. Glitzer stated to the extent that it is on the property line, they will leave it; and if it is inside the property line, they will relocate it. He stated they will buffer the back of the property, and they may incorporate a fence. Ms. Martino asked for details on the buffering, and Mr. Glitzer stated it would be a landscape berm with mixed evergreen and shade trees.

Ms. Diane Gordon stated she lives on Hillside Lane which is a quiet neighborhood and there are no sidewalks. She stated if they open up the street it will be a "death trap" for the children that live there now. She stated it is a tree-lined street with very old trees, and it is a quiet, safe neighborhood.

Mr. Bush stated he feels the Planning Commission generally agrees that they should keep the street closed. He stated one of the issues that the Township Traffic Commission always discusses is cut-through traffic and how to prevent or curtail it, so if it can be curtailed on the front end, this would make sense. Mr. Murphy stated provided the Planning Commission makes this recommendation to the Board of Supervisors, on the future Plans they will show the road not being extended. He stated ultimately it will be a decision made by the Planning Commission and the Board of Supervisors.

OTHER BUSINESS

Ms. Friedman asked with regard to the Comprehensive Master Plan, if the Planning Commission members feel it would be helpful to evaluate the different age groups in the Township and if there are enough amenities per group as a balance in the Township. Ms. Friedman stated there is nothing in the Township for seniors even above and beyond the projected Community Center noting there are not even bocce courts. Mr. Bush stated there are bocce courts at the Fred Allan Softball Complex.

Ms. Friedman asked if it would behoove the Planning Commission to see the percentages of amenities per grouping because the Township is supposedly going to be aging. Mr. Bush stated while generally he feels this is a good idea so that they can make sure that the Township has a good mix, he added he feels the Township does have a number of amenities for Seniors and he noted particularly bocce and golf. Ms. Tyler stated they also have a Senior Rate at the Pool. Ms. Friedman stated she feels there should be a comment in the Master Plan that they did plan favorably and equally amongst each group and then list what those activities might be.

There being no further business, Mr. Dickson moved, Mr. Pazdera seconded and it was unanimously carried to adjourn the meeting at 8:40 p.m.

Respectfully Submitted,

John Pazdera, Secretary