

TOWNSHIP OF LOWER MAKEFIELD
PLANNING COMMISSION
MINUTES – AUGUST 27, 2007

The regular meeting of the Planning Commission of the Township of Lower Makefield was held in the Municipal Building on August 27, 2007. Chairman Dickson called the meeting to order at 7:35 p.m.

Those present:

Planning Commission: Dean Dickson, Chairman
 Tony Bush, Vice Chairman (joined meeting in progress)
 Karen Friedman, Secretary
 Richard Cylinder, Member
 John Pazdera, Member

Others: Nancy Frick, Director Zoning, Inspection & Planning
 Maureen Carlton, Township Solicitor
 James Majewski, Township Engineer
 Grace Godshalk, Supervisor Liaison

APPROVAL OF MINUTES

Mr. Pazdera moved, Ms. Friedman seconded and it was unanimously carried to approve the Minutes of July 23, 2007 as written.

#581 – WOODSIDE PRESBYTERIAN CHURCH – PRELIMINARY PLAN
DISCUSSION

Mr. Bruce Jones and Ms. Carla Carter representing the Church were present with Architect, Colleen Ziegler, and Engineer, Brad Aurand. Mr. Jones stated they have been working on the Plan for approximately ten months. They met informally with several of the Boards and Commissions in the Township in an effort to gain input to put together a Plan that would meet the needs of the Church and the community. Mr. Jones stated in 1998 they constructed an addition and a Master Plan was developed which showed a future expansion of the facilities. They are working within that type of lay out in the presentation this evening.

Mr. Bush joined the meeting at this time.

Ms. Ziegler noted the subject property on a map. She stated there is existing parking to the rear of the site. She also showed an inside lay out of the facility showing the existing and proposed new construction. She stated they plan to demolish a part of the existing

facility and reconstruct something larger than what is being demolished. A Plan was shown of the area to be demolished and the new construction. The new construction will be a multi-purpose worship facility with an entrance off the parking area. From the entrance area there will be an extended lobby. They will also extend the classrooms.

Mr. Jones showed a color rendering of the eventual structure. He noted the new construction on the right.

Mr. Cylinder asked if there is a drawing showing how this would relate to the Edgewood Village Development, and Ms. Ziegler stated there is not. Mr. Cylinder asked if they have discussed this with the Edgewood Village consultant, and Mr. Jones stated they had two meetings with the Historic Commission and Mr. VanDyke was present at both of these meetings and is familiar with their Plan. He stated they also met with HARB. Mr. Jones stated they did not get any response in writing, but they did take exception as did the EAC to the north parking area as they did not feel it was aesthetically pleasing. Mr. Jones stated they are continuing to work on this.

Mr. Jones stated they had an opportunity to get most of the agency reports, and they have been working on these. He stated he did put together a response to these and provided a copy of this to Ms. Frick late today and to Mr. Majewski this morning. This includes a response to the formal report received from the EAC. They did not get a formal report from HARB or the Historic Commission. The parking lot shown this evening is the same that was questioned by the EAC.

Ms. Friedman asked about the location of the stormwater basin, and Mr. Aurand noted the location on the Plan. Mr. Majewski stated they are also proposing an underground storage bed under the parking lot in the southeast corner. Inlets will take the water to the seepage beds. Infiltration testing was done which showed that it is feasible to get it down to that area.

Ms. Friedman asked about impervious surface, and Mr. Jones stated it is 61% and 65% is permitted.

Mr. Cylinder asked the location of the children's play area, and the location was shown on the plan. Mr. Cylinder stated this is near the detention basin and he understands that they will request a Waiver for the slope. Mr. Cylinder asked if there is a way to prevent the children from running into this, and it was noted the play area is fenced in.

There was discussion on the landscaping of the detention basin, and Mr. Aurand stated it is shown on the Plans as being grass, but a member is an expert in this area and is interested in planting wildflowers and other vegetation in the basin.

Mr. Cylinder noted an area at the bottom of the Plan, and questioned if they were parking spaces. Mr. Jones stated they are showing twenty-three reserve parking spaces but they are not requesting these at this point in time. Mr. Cylinder asked how they would access these spaces. Mr. Aurand stated they would need a Variance to get to these spaces as they would be in the buffer setback. Mr. Cylinder stated he feels these should be taken off the Plan if they are not showing how these spots could be accessed, and Mr. Jones agreed to remove them.

Mrs. Godshalk noted the parking lot driveway into McCaffrey's noting she was responsible for the two shopping centers being connected so that people would not have to go out to the street to circulate. She noted the main entrance to McCaffrey's and stated there is no light and she feels what the Church has proposed with another road going into the driveway is very dangerous. She stated she does feel they need a second access for emergencies, but the location they are showing is very busy; and they are going out to an arterial road from two driveways. Ms. Friedman stated she agrees with Ms. Godshalk and feels this is a difficult placement for an entrance/exit particularly during Church hours. She noted the high speed of traffic coming from the shopping center. She stated people making a left out of the Church after services will probably cause a back up.

Mrs. Godshalk asked about their affiliation with the Grange where the Church permits parking for their employees on the Church parking lot, and Mr. Jones stated this will still be allowed. Mrs. Godshalk stated she is concerned that those people may also use the access to the shopping center as well. Mr. Jones stated the north side on Edgewood Road will be widened to accommodate an entrance and exit. Mr. Majewski stated he is also concerned with cut-through traffic, and he had suggested looking into putting the secondary exit on the Giant Shopping Center side which is the west side to help cut down on cut-through traffic. He stated this section is much less traveled than the main road between McCaffrey's and Giant.

Ms. Friedman asked the number of parishioners, and Mr. Jones stated there are approximately 520. They have three services, and with approximately 240 people per service. Mr. Majewski stated he feels they have the correct number of parking although there could be a concern with the bigger religious holidays. He stated since they are next to the shopping centers and the Grange, they could make arrangements for the busiest times of the year.

Ms. Friedman asked if other parts of the building are used during services, and Ms. Carter stated there is Sunday School at the same time as one of the Church services but it does not necessarily increase their numbers.

Mrs. Godshalk asked the enrollment of the Nursery School and the number of staff. Mr. Jones stated there is a morning and afternoon session with 100 to 120 at each session. They do not have Kindergarten. They have 23 staff.

Mr. Majewski stated the EAC was concerned that there was too much parking on the site, but Mr. Majewski stated he feels what they have shown is a realistic number. Mr. Jones stated they have two sharing Agreements presently in place for parking – one with the Grange and one with the Township. He stated the one with the Grange allows the Church to utilize the Grange's entrance, and the Grange utilizes the Church's exit. The Church provides the Grange extra parking spaces in return for some compensation for snow removal in the winter. Going forward, they would abandon the portion of the Agreement that deals with the Church using the Grange's entrance which is on the west side of the Grange building because the Church would be using their own expanded entrance for both entrance and exit. He stated they also have an Agreement with the Township to provide overflow parking for the Farmer's Market on Thursdays in the summer. Mr. Dickson asked how many cars use the parking lot for this use, and Mr. Jones stated Mr. Bray has indicated at the peak periods between 4:00 p.m. and 6:00 p.m. there could be as many as forty cars in the Church parking lot. Most of the time the parking is handled in the Edgewood pocket park.

Mr. Cylinder stated he is concerned with the circulation pattern shown on their Plan. He stated they are going right into a parking lot aisle coming in from Edgewood Road and this parking lot aisle then changes into a driveway with cars backing into it. He stated all cars coming in and leaving from Edgewood which will be moving at the same time when one service ends and the next begins, will be backing in and out; and he feels there will be a bottleneck. Mrs. Godshalk stated Protestant Churches do have time in between their Services. Mr. Cylinder stated at the entrance to the parking area which services the whole facility, they have cars backing in and out. He stated when you travel south, you do not have this situation and there is a regular driveway. He asked if the parking area could be moved toward the Grange so that at least one side would be free of cars backing out. He stated they could also take out the "kink" in the roadway at the southern end of the parking area. He stated they would then have a corridor running through the site from Edgewood Road to the Shopping Centers. Ms. Friedman stated she feels this will become a cut-through. Mr. Cylinder stated he felt this was fine. He noted there will be a lot of cut-throughs when they do Edgewood Village. Ms. Friedman stated she did not feel the driveway entrance shown was the safest location, and feels they should re-configure a driveway entrance somewhere else on the property other than on the main road.

Mr. Aurand stated they cannot push the parking spaces themselves closer to the Grange as there is a 30 foot setback required according to the Zoning Ordinance. Mr. Cylinder stated possibly they could change this. Mr. Jones stated the "kink" is in the roadway for traffic calming purposes and to take away the line of sight through the property as a deterrent toward people cutting through. He stated the entrance off Edgewood Road is some of the more remote parking of the facility so it would be some of the last used parking on the site. Mr. Cylinder stated everyone would have to get through the bottleneck to get to the other parking area. Mr. Jones stated this would only happen at the most busy times. Mr. Cylinder asked that they look into this further.

Mr. Dickson asked the total seating capacity in the Sanctuary. Mr. Jones stated in the new facility there are 454 spaces to place chairs. They will not have pews. It will be an open seating area. Mr. Dickson stated there could be a large wedding on a Saturday with as many as 300 or more cars, and he is concerned that there will also be people shopping. Ms. Friedman stated she does not feel that scenario would occur that frequently. The current seating capacity is less than 200.

Mr. Cylinder asked if they would be permitted to run the driveway along the boundary with the Grange. He stated they could then leave the parking area intact. Mr. Majewski stated this would change the existing location of the entrance. He stated currently in front of the Grange, there is a circular driveway that would place a new entrance too close to the circular driveway. He stated this could also impact some large trees. He stated the Grange Hall is also a historic building and putting a driveway up next to it would not be in keeping with the character of Edgewood Village.

Ms. Friedman noted the Edgewood Road entrance and asked about the safety of the one lane on the left by the entrance and the possibility of cars backing out. Mr. Majewski stated there is a concern with people backing up and holding up traffic, although it would only be the parishioners themselves who would be held up. He stated he does feel a secondary means of access and egress is important although he is not pleased with the area where it is shown now and feels they should consider this further. He stated this was also raised in the Bucks County Planning Commission letter about the parking near the entrance drive and potential conflicts with people coming in and out of spaces.

Mr. Majewski stated if it becomes a cut-through it would become more of an issue. Another location was shown for an entrance, and Mr. Majewski stated they may need approval from the Giant Shopping Center owners as they would from the McCaffrey Shopping Center owners for their other entrance.

Mr. Dickson stated the EAC has indicated that additional parking should be built at the southern boundary of the site so that they can eliminate those in the northern part. Mr. Dickson stated they would have to find a place for these fifty-seven parking spaces. Mr. Majewski stated he does not feel there is anyplace to put these other than along Heacock Road which would have similar objections. He stated possibly they could expand the future parking area although this would only provide an additional twenty-three spaces. He does not feel they can afford to lose any parking spaces.

Mr. Cylinder asked if shortening the bays on the west side and running parking off the main driveway would add any spaces. Mr. Aurand stated they did try this. Mr. Majewski stated this would require a Variance for the setback. Mr. Jones stated it would also involve eliminating trees and mitigation.

Mr. Majewski stated if they eliminated the entrance on the south to the Edgewood Village Shopping Center and relocate it to the Giant Shopping Center area, if the Giant Shopping Center owners would agree to this, they could pick up four spaces. He stated this would require a Waiver for not having 20 spaces in a row broken up with vegetation, but he does not feel this would be a problem. He stated they could then take four spaces away from the Grange side, and this would take away some of the conflict of people coming in and going out.

Ms. Carter stated they could request that people only back into spaces, although others present did not feel this was realistic.

Mr. Majewski stated for either entrance, they would have to have permission from the Shopping Center owners. Mr. Majewski noted Mr. Jones has indicated McCaffrey was amenable to this; and Mr. Jones stated there is a curb cut on the Shopping Center drive on the McCaffrey side already in place. They have had no conversations with the Giant Shopping Center owners.

Mr. Bush asked if they had discussions with the Masonic Hall about using their parking, but Ms. Friedman stated this would necessitate people crossing a busy street.

Mrs. Godshalk stated currently the Church is permitted to park in the area where the Farmers Market is held by an informal Agreement with the Township.

Ms. Friedman suggested using the future parking spaces now and eliminate some of those off the entrance aisle. Ms. Friedman noted on the Plan the proposed entrance they feel should be eliminated and noted another area on the Plan where they feel it would be possible to locate an entrance.

Mr. Bush suggested that the parking at the top off Edgewood Road which has been an objection be moved to the lower right corner, but Mr. Jones stated this is where the detention basin is. Mr. Bush asked if they could move the detention basin. Mr. Jones stated they have looked at flipping the detention basin to the other end of the property, and extend the southern parking area below the new addition as far as they can into the setback lane; but they do not have a solution for the two rows on either side of the entrance. They can manage accommodating some of the northern lot area by turning the detention basin end to end and moving it to the northeast corner of the property but they would be compromising some parking spaces to deal with that. They cannot find a way to compensate for the ones on either side of the entrance. Ms. Friedman stated she has an issue with these but would not have a problem with the ones listed as “future.” Mr. Jones stated it would cost a significant amount of money to take out the trees and replace them. He stated this is why they backed off from this and showed them as “future.” He felt they could get by with the existing parking and only wanted to show where they could have parking well into the future.

Mr. Dickson stated the Planning Commission feels the parking spaces should be eliminated along the driveway that gives access to Edgewood Road and some creative way needs to be found to take these 34 spaces on the northern part and place them at some other location. Ms. Carter stated currently they do have parking along the driveway although it is parallel parking.

Mr. Cylinder stated he feels the Church needs to see how they can address the concerns the Planning Commission has expressed.

Mr. Jones stated he understands it is the main entrance/exit parking that is least appealing to the Planning Commission, and the Planning Commission agreed. Ms. Friedman stated they should also address the entrance at the bottom half as well. Mr. Bush stated he feels they would be in favor of the parallel parking concept discussed. Mr. Pazdera stated he would still prefer that those spaces be eliminated. Mr. Dickson stated he agreed with the EAC that aesthetically when you come along Edgewood Road, it is not good to see a parking area. Mr. Dickson stated he feels any parking that is to the southern part of the tract would be better aesthetically since there is a tree line and a Shopping Center. Mr. Jones reminded that if they put parking here, they would lose the tree line. Ms. Friedman stated she would feel it would be acceptable to have some parking at the top section if they could get rid of the one lane along the roadway. Mr. Cylinder stated they could possibly come up with berms or landscaping to hide the parking in this area. Mr. Aurand stated he feels they could screen it. Mrs. Godshalk noted the Wachovia Bank wall and stated possibly if they built a stone wall along this area, it could soften the parking area along Edgewood Road.

Mr. Majewski stated he had a question about lighting on the property, and asked if all lights would be controlled by photocells, and whether or not they would be turned off. He stated the Church responded that only the area to the west will be activated by photocells, and the rest would be on a programmable control. Mr. Majewski stated he also questioned if there would be building-mounted lighting; and since they are considering some of this, they will have to evaluate it. He recommended that they keep lighting levels to the lowest needed for safety.

Mr. Jones asked if the Planning Commission would consider a Preliminary/Final Plan if they came back and were favorably received. Mr. Dickson stated they would have to have Mr. Majewski review it and see his comments. Mr. Cylinder stated he feels it would be good for them to come in with a Sketch on what they are proposing before their engineer does a lot of technical work. Mr. Aurand stated he would like to get some further input as well before he goes thorough a full design. Mr. Dickson stated they could send a Sketch via e-mail to the Planning Commission provided they also give Ms. Frick a copy.

DISCUSSION OF PROPOSED AMATEUR RADIO ORDINANCE

Mr. Steve Levin was present. Mr. Dickson stated this was previously presented to the Planning Commission, and they were unable to act on it as there was no representation present at that time. Mr. Levin stated it was his understanding that someone from the Township Solicitor's office would be present along with someone from the Police Department. He stated he would be willing to answer any questions about the proposed Ordinance and also recommend some changes that he and some other ham radio operators in the Township feel would be appropriate. Ms. Frick stated Chief Coluzzi did forward information to the Planning Commission which was in their packet. Ms. Carlton stated only one change was made to the Ordinance since it was last reviewed which was correction of a typo.

Mr. Levin stated he is a member of the amateur radio community and will be providing comments from himself and other Township residents particularly Greg Morrow. He read from a letter written by Mr. Morrow indicating his feeling that some Sections of the proposed Ordinance are extremely restrictive and do not appear to represent the minimum practicable regulation to accomplish the Township's legitimate purpose. He noted Section E, paragraph 1, page 5 on height; and Mr. Morrow would suggest changing the maximum height to 65' since reliable and effective communications are better served at this height. Ms. Frick stated currently the height permitted in the Township is 35'. Mr. Levin stated with the safety guidelines, they do not feel the antenna structures would fall down.

Mr. Levin noted Section E, paragraph 2 on location of the antenna, Mr. Morrow feels the requirement for location away from property lines and overhead power lines is intended to cover a case where an antenna has fallen, but stated for lightning protection, it is beneficial to locate the antenna structure at the closest possible point where power enters the house which allows for a tower grounding scheme that best protects the home in the event of a lightning strike. He stated that natural gas conduits are not protected by Ordinance from trees or other structures, and he questioned why they should be protected from properly-engineered towers.

Mr. Levin stated they would also suggest with regard to fencing and anti-climbing devices, that the wording be changed to indicate they are required to have either fencing or anti-climbing devices rather than both.

Ms. Friedman asked about radio antennas which are placed on top of houses. Mr. Levin stated this is permitted by Ordinance, but the Township limit is 35' in height. He stated there is no antenna Ordinance if you want to construct your own tower. He stated a number of years ago he requested permission to put up a 40' pole; and while the Building Inspector did approve it, the Ordinance did not permit anything over 15' high for an auxiliary building or structure. Ms Frick stated the 15' requirement is in the Building

Code and not the Zoning Ordinance. Mr. Levin stated he was going to be required to apply for a Variance, and he did not proceed with this as he was advised by an attorney that the Variance would not hold up in a Court of Law. Ms. Frick stated the reason it was not permitted was because he was requesting a height of 40' which was not permitted.

At the current time, you are permitted to have a 35 high antenna attached to the home. Mr. Cylinder stated he is now asking for a change in the Zoning Ordinance to allow for a height of 65' and asked what advantage they get going from 35' to 65'. Mr. Levin stated if it is attached to the house, it is hard to work on it for maintenance and he is unable to lower it in case of bad weather. He stated it would be safer to have an amateur radio tower as opposed to the antenna being attached to the home. Mr. Cylinder asked about use of the antenna, and Mr. Levin stated the higher the better. He stated they run a lot of emergency services and do a lot for the community and the Nation passing information back and forth. He noted particularly Hurricane Katrina and stated the only failsafe method of communication out of the effected area was through amateur radio. He stated the higher the better so that he can send and receive signals. He stated he did have the antenna on a structure at the time of Hurricane Katrina, and he was told by the Township that he could keep it up until after the Hurricane season in 2005 and then he would have to take the tower down. He then applied for a Permit to get the antenna attached to his home, and this was approved. He stated he would like to put the antenna tower back up.

Mr. Dickson asked the number of amateur radio operators in the Township, and Mr. Levin stated he is aware of 117 that are licensed and possibly 25 who are active. Mr. Cylinder asked if they are encountering problems, and Mr. Levin stated they are all encountering the same problems. He stated the only way they can now have an antenna is if they attach it to their home.

Mr. Bush asked the benefit in having a free-standing structure versus attached to the home. At the current time, 35' high is permitted inclusive of the house. He stated they are requesting 45' to 65', and he asked how much of a difference this makes in the operation. Mr. Levin stated it makes a big difference because the higher the better. He stated free-standing structures are also much safer to work on the antenna and to be able to lower it in case of a storm. He stated all the towers are grounded. He stated if it is a free-standing structure, you can lower the antenna. Mr. Levin stated the Federal Government permits them to be 200'. He stated Mr. Truelove's firm wrote this Ordinance, and apparently some other Township's Ordinances were reviewed and they came up with the height that is shown in the proposed Ordinance. Ms. Carlton stated they studied a number of Ordinances in the area and beyond and came up with this height as being sufficient.

Mr. Majewski stated he feels 65' seems high.

Ms. Friedman asked if Mr. Levin has pictures to show how what he is proposing would look, and Mr. Levin did show some pictures this evening. He noted a picture of the antenna structure he had in the past. Ms. Friedman asked how far away it was from the house, and Mr. Levin stated it was 8' feet. He noted if it would fall, it would fall away from the house because of the way it is constructed. Mr. Cylinder asked if they use guide wires, and Mr. Levin stated for the structure he had guide wires were not required. Mr. Cylinder questioned what would keep it from falling on the house. Ms. Frick also asked if there are wind load calculations, and Mr. Levin stated he had this done by an engineer and it was submitted to the Township. Ms. Frick asked generally if there are wind load calculations, and Mr. Levin stated it depends on the tower structure. He stated they also put between three to five feet of concrete in the ground.

A picture was shown of the top of a tower, and Ms. Friedman noted it is extending out quite a bit. Ms. Friedman noted the top of the tower which would be visible to surrounding neighbors. Mr. Levin stated there are different types of antennas which are manufactured.

Mr. Bush noted the letter from Chief Coluzzi dated 8/21 indicating that the Emergency Management Committee referred the amateur operators to the Bucks County Emergency Management and suggested that they get County approval prior to Lower Makefield Township officially incorporating them into the Emergency protocol and supporting their initiatives to erect towers in the Township. He asked Mr. Levin if he has made any contact with Bucks County Emergency Management. Mr. Levin stated he was not aware of this letter and has not made any contact. Mr. Dickson stated the letter also indicated that in 2006, Mr. Levin was referred to Bucks County Emergency Management. Mr. Levin stated they had gone to an Emergency Management Committee and discussed starting an Emergency Operations Center at the Township so that amateur operators could come and help with flooding and other situations, and Chief Coluzzi indicated at that time that he was not ready to start such an Operation.

Ms. Frick asked if electric is supplied, and Mr. Levin stated there is a power cord that goes up to the antenna rotator and this would be a coaxial cable. He stated it is low voltage. Mr. Cylinder asked if there is a light on top, and Mr. Levin stated there is not.

Mr. Levin continued to read the letter and stated they would recommend that the proposed Ordinance wording be changed to require either fencing or anti-climbing devices. He stated if you purchase a manufactured tower, it will have anti-climbing devices. He stated in his situation, he used a pole; and no one would be able to climb it. He stated they feel this should be considered on a case-by-case basis.

He noted paragraph 9 and stated they should strike the requirement that Lower Makefield Township should be named as additional insured as it is excessive and does not apply to any other accessory building or structure. He stated he also contacted his

insurance company, Bob Sill, Jr. and provided them a copy of the proposed Ordinance; and they indicated they would need an explanation from the Township as to why they would need to be listed as an additional insured and felt nothing that was stated in the Ordinance should make them accountable for anything which does not involve public property.

Ms. Frick stated she feels it would be beneficial if they were provided a copy of what Mr. Levin read this evening. Ms. Friedman agreed. She also questioned Item #6 regarding maintenance of the antennas and asked who will be checking on this. Mr. Levin stated the owner of the amateur radio antenna is responsible for maintenance. Ms. Friedman asked how the Township knows that this has been addressed and what problems may occur. Mr. Levin stated parts could come off in a high wind and they could be struck by lightening. He noted that siding flies off other structures in the Township, and it would be the responsibility of the owners to take care of these as well. Mr. Levin stated amateur radio operators spend a lot of their own money on this hobby.

Mr. Cylinder asked if there is anything in the Ordinance about the “fall area” – the area that could be impacted by a tower falling. Mr. Levin stated this is in the proposed Ordinance. Mr. Levin stated in his instance, it could only fall one way; and he did have a professional engineer design it. He stated he did discuss this with the Township who advised he needed to determine wind load, ice load; and he had a professional engineer do the design. It was passed by the Building Inspector. Ms. Frick noted this is only part of the review process.

Mr. Bush stated while he is sympathetic of their desire to have taller towers, he feels if someone had a 65’ tower go in next to their home, he feels many people may not be happy with this. Mr. Levin stated if all the communication infrastructure went down, he feels many people would go to the amateur radio operators to communicate with their families. Mr. Levin stated he does not like to see sheds going up all over the Township either. He stated the towers are a service to the community. He stated the Federal Government regulates these and states that 200’ is permitted, and they are only asking for 65’.

Ms. Friedman asked if there are any of these structures in the area which they could go visit to see how it integrates into the neighborhood. Mr. Levin stated there are none in the Township as they are not permitted to erect towers at this time. He stated currently he has an antenna attached to his home. Ms. Frick asked what the other 117 people involved in this in the Township are doing as she has never heard from anyone other than Mr. Levin. Mr. Levin stated they have antennas attached to their home. Ms. Frick asked if this is not sufficient since she has never had anyone else come in to request something more. Mr. Levin stated he feels they would be happier with a higher height being permitted. Mr. Cylinder asked why they have not heard from them. Mr. Levin stated Mr. Morrow was supposed to be present this evening, but is on vacation. Mr. Levin

stated a few years ago he was approached by Mr. Ron Smith and Mr. Greg Caiola when they were running for office, and he explained to them what he was doing with regard to emergency services. They indicated they felt it was a good idea that he was helping the community. He stated Lower Makefield is one of the only Townships in Bucks County that does not have an Amateur Radio Ordinance. He stated there is a Federal Law that the Township is supposed to reasonably accommodate amateur radio operators, and he does not feel 35' is reasonable.

Mr. Majewski asked if he is aware of what is permitted in other Townships in the area, and Mr. Levin stated Morrisville and Falls Township permit higher towers. He stated he feels Newtown and Falls permit 100' to 125'. Mr. Dickson stated he would like to see these Ordinances, and Mr. Levin stated he submitted the Ordinances to the Township Solicitor. Ms. Carlton agreed to look into this.

Mr. Cylinder stated one of the concerns he has is that they have not taken into consideration the elevations of the lot. He stated Morrisville and Falls are relatively flat communities; and in Lower Makefield it may be that if they permit someone to put up a 65' tower, it will go much higher. He stated surrounding lots may be lower, and the antenna would then stick up much higher if the property has a higher elevation.

Mr. Dickson stated Mr. Levin indicated there are 25 people in the Township who are actively involved in this, and he asked what type of antennas they have. Mr. Levin stated they are attached to the homes that are vertical or wires in a tree.

Mr. Cylinder asked if the Bucks County Planning Commission has commented on this, and Ms. Frick stated they did and their letter dated 7/11/07 was included in a prior Planning Commission packet.

Ms. Frick stated she feels they should look closely at the Zoning Districts. She noted particularly the restrictive lot sizes in the R-4 Zone. She asked that Mr. Levin provide some addresses in Falls or Newtown where these towers are located so that she can provide them to the Planning Commission so they can look at them. Mr. Levin stated he submitted this information to Mr. Truelove along with the sample Ordinances.

Ms. Friedman asked if there would be any problem with interference if all 117 people involved in this hobby were to erect towers. She questioned if the Ordinance should indicate there could not be two radio operators next door to each other. Mr. Levin stated you could get radio interference from the transmitting signals. Mr. Levin stated there is grounding and filtering which limits interference.

Ms. Frick stated she felt that a fair way to handle this would be to get a Variance so that the adjacent property owners could be notified if they had an objection. She stated this would also help eliminate a problem with the possibility of interference.

Mr. Cylinder asked if they could require that they would have to take these down if they were not being used. Ms. Frick stated if it was permitted by Variance, you could be put on a stipulation to this effect by the Zoning Hearing Board. Mr. Levin stated the amateur operators do not feel they should have to pay the Township for something that the Federal Government states the Township should reasonably accommodate. He stated he wants to help the Township with emergency operations.

Mr. Dickson stated he feels they are providing a helpful service. He stated the Bucks County Planning Commission indicated that the Ordinance appears to be reasonable and consistent with Federal regulations. Mr. Levin stated he only differs with the Ordinance on a few points. Mr. Dickson stated they would like to receive a copy of what Mr. Levin read this evening so that the Planning Commission and Solicitor can review it. He stated he would also like to review the Ordinances from the neighboring Townships, and Ms. Carlton stated she will get these. Mr. Dickson stated they would also like to have some addresses of existing towers so they can look at them. Ms. Frick stated they can also look at the residential settings that they are in.

Mr. Pazdera stated he would also like to see some links to tower manufacturers so that they can see the ranges.

This matter will be considered again in the future.

MELSKY TRACT UPPER MAKEFIELD TOWNSHIP (46 LOTS) AND NEWTOWN TOWNSHIP (44 LOTS) AND WHITE FARM – UPPER MAKEFIELD TOWNSHIP (80 LOTS)

Mr. Majewski stated he forwarded his letter on this matter to the Planning Commission . He stated there are two major developments proposed in Upper Makefield and Newtown Township, and the Planning Commission needs to forward comments on to those Townships. He stated the Melsky Tract is located on the north side of Stoopville Road, one mile west of the Township border. He stated the Tract is 94 acres with 50% in Upper Makefield and 50% in Newtown Township. Toll Bros. is proposing 90 new homes in this area. Two lots will be retained by Council Rock School District on the western edge of the property closest to Eagle Road. There are four open space areas totally 37 acres. There will be two entrance roads out onto Stoopville Road.

Mr. Majewski stated the White Farm is on the border of Lower Makefield Township bordered by Highland Road off 532 and up Stoopville Road toward Creamery/Linden Hill Road. This is all on the north side of Stoopville Road. He stated the two homes and the barns on the White Farm are proposed to be retained by the property owner on two lots of 3.8 acres each. The property is 99 acres and they propose 80 new homes – all single-family residential ranging from 20,000 to 30,000 square feet.

Mr. Majewski stated these properties were part of a recent re-Zoning by the Jointure where they created the Federal Cemetery Overlay District to allow for the Cemetery on the Dolington Land Tract which is the farm which is behind the Tower View Development. The Cemetery is proposed to be 200 acres. Currently there are no details on the Cemetery. The Overlay District allowed Toll Bros. to get extra units in exchange for the Overlay District.

Mr. Majewski stated the impacts to Lower Makefield are primarily traffic as the stormwater runs in the other direction and both developments are in the Council Rock School District. Sewer and water are being handled in Upper Makefield and/or Newtown Township. Mr. Majewski stated with 80 lots in the White Tract and 90 in the Melsky Tract, this equals 170 units which would create 1700 trips per day from the developments. He stated combined with other Toll Bros. developments in Upper Makefield and Wrightstown Township, there are approximately 425 units going in and much of this traffic will go down Stoopville and 532 and through Lower Makefield Township through Lindenhurst or Dolington Road. He stated a traffic study was done several years ago by Toll Bros. for one of their other Plans for the Dolington Tract and they contemplated putting a traffic light at Dolington Road, Highland Road, Stoopville and 532 and Creamery/Linden Hill Road. Mr. Majewski stated the two developments will increase traffic in the area of 532 and Stoopville Road by 20% above what it is today and all the Toll Bros. developments combined will increase traffic in the area by about 50% above what it is today.

Mr. Majewski stated he noted in his letter that traffic is the primary impact and the Lower Makefield should make sure that a traffic study is done in the area to detail what improvements are proposed and that they take into consideration some of the safety recommendations and traffic calming recommendations from the Bucks County Regional Traffic Planning Task Force. Some of these recommendations included pursuing Newtown Township looking into traffic calming along Stoopville Road to help reduce speeds. He stated they also proposed a traffic circle at the intersection of 532 and Stoopville Road. Mr. Majewski provided Plans this evening and stated the Bucks County Regional Task Force Plan shows a new roadway realignment through the Church property in Lower Makefield, and Lower Makefield would have to be involved in the design of this.

Mr. Majewski stated currently they do not have any pedestrian facilities proposed along the main roads for either project. He stated when Newtown Township approved the Linden Hill Chasse Subdivision near the corner of Creamery/Linden Hill Road and Stoopville Road where they re-aligned part of the road, they had a bikepath along Stoopville Road; and Mr. Majewski stated the Planning Commission may want to consider recommending to Newtown Township and Upper Makefield that they extend the trail system along the entire stretch to connect into the two Churches, the School, and the Village Market.

Mr. Cylinder asked if there is an estimate on what the Cemetery will generate in terms of traffic. Mr. Majewski stated they did indicate there could be a several hundred trips per day. He stated he is also concerned about where the entrance to the Cemetery will be located since if it is off Route 532, the traffic most likely would go down 532 to Taylorsville Road to I-95; or it could come down Dolington Road to Woodside Road to I-95. He stated in either case, it will impact Lower Makefield. He stated if they have two entrances, one off of Highland and one off 532 on the west side of the 532 bend, it would make a big difference in the traffic as those coming off Highland Road would impact Lindenhurst Road where there are already issues with speeding. Mr. Majewski stated he has no Plans for the Cemetery or how they contemplate bringing traffic in and around the area.

Mr. Dickson stated he would like to get input from Chief Coluzzi on the need for additional Police Officers for traffic control as it relates to the Cemetery. Mr. Bush stated he feels most of those to be buried at the Cemetery would be older Veterans and it may not involve a great many people attending.

The Planning Commission agreed to the recommendations made by the Township engineer.

OTHER BUSINESS

Mr. Dickson noted the letter received from a resident recommending changes to the signaling at Oxford Valley Road and Edgewood Road. Mr. Dickson stated he does not feel this appears to be Planning Commission issue and feels it should be forwarded to the Township traffic engineer or the Police Department. Mr. Majewski suggested that this be forwarded to the Citizens Traffic Commission, and Ms. Frick agreed to forward this letter to them.

Mr. Dickson stated he received a call from Donna Liney asking if the Planning Commission intends to have a table at Community Pride Day. Mr. Bush stated last year some of the Planning Commission members were in attendance and discussed Matrix and the Low Impact Development Ordinance and any other questions residents had. He stated he is not sure that there is a significant issue this year, and he does not feel it would be beneficial for them to attend this year. Mr. Dickson agreed to contact Ms. Liney that they will not have a booth this year.

Mr. Cylinder noted items in the newspaper about billboard companies requesting electronic billboards. He stated he did review the Ordinance, and he asked if this issue has come up in Lower Makefield and whether or not the Ordinance they reviewed would permit this. Mr. Pazdera stated it would not be permitted. Ms. Frick stated the Township has not been contacted about this to her knowledge.

Mr. Cylinder stated he sent out a draft to the Planning Commission after receiving Preliminary Plans which he feels have too much information on them for what they need at the outset. He feels they should encourage more Sketch Plan submissions before they submit Preliminary Plans. Ms. Frick stated they always encourage them to do this but the developers are always in a hurry to get their Plans approved. Mr. Cylinder stated he does not feel what they are doing is speeding up the process and in fact slows up the process and costs the developers more money. Ms. Frick stated they always encourage them to submit a Sketch Plan.

Mr. Cylinder showed several Sketch Plans he did a number of years ago which include all the background information needed to make general decisions as to lay out, etc. before any engineering is done other than a basic site plan. Ms. Frick stated Sketch Plans are currently optional but they always encourage that they be done. Mr. Cylinder stated they should show developers that it is to their advantage to come in with a Sketch Plan and not Preliminary Plans at the first meeting. Ms. Frick stated they do stress this but the developers do not want to do it in this way. Mr. Cylinder stated they should state that the Planning Commission recommends it, and if this is not good enough – that the Board of Supervisors recommends it.

Mr. Majewski stated in the Ordinance they also stress the Four-Step Development Process before they go to full engineering. They advise that they should map out the restrictions on the property, schedule a site walk, and a Sketch Plan before going to all the expense of a fully engineered Plan. Ms. Frick stated she also recommends that they go to the various reviewing Boards before they proceed.

Mr. Cylinder stated he would suggest a handbook so they can see the Township Policy. Ms. Frick stated the Township Policy is that the Sketch Plan is optional. Mr. Cylinder stated he agrees it has to be optional, but it should be put in writing that if they do the Sketch Plan it will help the Township and help the developer as well. Mr. Majewski stated it is written in the Ordinance that if they follow this process, it will go smoother. He stated people still want to do it their way and other than describing what they should do and showing it in the Ordinance, you cannot make them do it that way.

There being no further business, Mr. Cylinder moved, Mr. Pazdera seconded and it was unanimously carried to adjourn the meeting at 10:15 p.m.

Respectfully Submitted,

Karen Friedman, Secretary