

TOWNSHIP OF LOWER MAKEFIELD  
PLANNING COMMISSION  
MINUTES – JULY 27, 2009

The regular meeting of the Planning Commission of the Township of Lower Makefield was held in the Municipal Building on July 27, 2009. Chairman Friedman called the meeting to order at 7:35 p.m.

Those present:

Planning Commission:       Karen Friedman, Chair  
  John Pazdera, Vice Chair  
  Dean Dickson, Member

Others:                            Nancy Frick, Director Zoning, Inspection, & Planning  
  John Donaghy, Township Solicitor  
  James Majewski, Township Engineer  
  Jason Simon, Supervisor Liaison

Absent:                            Mark Fried, Planning Commission Secretary  
  Tony Bush, Planning Commission Member

APPROVAL OF MINUTES

Mr. Pazdera moved, Mr. Dickson seconded and it was unanimously carried to approve the Minutes of May 11, 2009 as written.

Mr. Pazdera moved, Mr. Dickson seconded and it was unanimously carried to approve the Minutes of June 8, 2009 as corrected.

#598 – VILLAGE MARKET – PRELIMINARY/FINAL PLAN APPROVAL

Mr. Edward Murphy, attorney, was present with Mr. Jeff Madden, engineer. Mr. Murphy stated for six to nine months there has been an ongoing design project involving Newtown, Lower Makefield, and Upper Makefield to discuss Stoopville Road improvements extending from 413 heading east including the intersection at the Village Market and going further east to the Lindenhurst Road intersection. Mr. Murphy stated he appeared before the Lower Makefield Zoning Hearing Board in March and obtained relief for this Plan that impacts the Village Market.

Mr. Murphy showed a Plan with the proposed improvements shown in yellow. He stated there is currently no traffic signal at the intersection at the Village Market. The Plan contemplates the re-alignment of Mr. White's three driveways. Mr. Murphy showed the location where the traffic signal will be installed as well as the other improvements in the area of the intersection at the Village Market. Mr. Murphy stated the Village Market will be impacted by installation of curbing along the frontage, some widening as shown by Mr. Murphy on the Plan, and installation of a by-pass lane that PennDOT has recommended to deal with fuel oil trucks which will permit them to exit the property. He showed on the Plan how the trucks will exit the property. Mr. Murphy stated they did get relief from the Zoning Hearing Board to permit additional impervious surface to accommodate these improvements.

Mr. Murphy stated PennDOT views this particular element as a significant part of the Stoopville Road improvements and the realignment of the intersection. He stated they are expecting him to produce evidence of Land Use Approval to them by September 1 because the work is supposed to start by October 1. Mr. Murphy stated PennDOT needs to see evidence that the Land Development is approved before they will release the stimulus money. Mr. Murphy stated he is present this evening with representatives of Toll Bros. as Toll Bros. has accepted responsibility for pursuing the approvals for this aspect since under the Toll approval for the White Subdivision, they were responsible for certain elements of the intersection improvements.

Mr. Murphy stated they have had discussions with Mr. Majewski about his review letter and they do not have any issues with the comments.

Ms. Friedman asked about the proposal for trucks exiting the property which allows them to only make a right hand turn. Mr. Madden stated in talking to Mr. Mishler and his delivery people, this is the way they want to turn so right-out only would be compatible with their practice. Ms. Friedman asked what would happen if someone wanted to go left, and Mr. Madden stated while it is possible to do this, it would take some maneuvering by the trucks.

Mr. Majewski's 7/9/09 review letter was noted. Mr. Murphy stated Page 2 to the top of Page 5 is a listing of Waivers they are seeking to move the project forward. Mr. Murphy provided this evening a letter from ESE dated 7/27/09 which is an updated Waiver list as Item 1.F in the 7/9/09 letter is no longer needed and Comment #2 on Page 5 is now a request for a Waiver.

Mr. Murphy noted Item 1. C in Mr. Majewski's 7/9/09 letter regarding notification within one thousand feet of the property, and Mr. Majewski stated there are no private residents within 100 feet. There is a proposed development, Brookshire, and the developer has been notified.

Item 1. E was noted with regard to right-of-way, and Mr. Madden stated additional right-of-way was offered with the original Variance in the 1990's, but he does not feel the Township or PennDOT ever accepted it. He stated they are not offering any additional right-of-way. Mr. Majewski stated he does not feel the Township would want to take the right-of-way since it is part of the parking lot. He stated PennDOT has no plans to widen 532 in this area.

Mr. Murphy reminded the Planning Commission that Item 1. F is no longer applicable, and they do not need a Waiver.

Item 1. G was noted with regard to additional lighting. Mr. Murphy stated the EAC and others felt strongly that they should minimize light pollution, and it was felt there was adequate lighting on site and no additional site lighting is needed to be added. Ms. Friedman asked if there are any issues about the parking lot area in the back which is currently grass. Mr. Murphy stated this is the area where they currently have their on-site septic system, and this Plan contemplates connection to public sewers. Ms. Friedman stated since they will now have a paved area in this location, she is concerned with the potential of young people parking in this area in the evening in a dark, isolated area. Mr. Majewski stated there is security lighting on the building which points out from the rear of the building out to this back area. Mr. Majewski stated he also feels the building is occupied, and Mr. Murphy agreed there is a tenant upstairs.

Item 1. H with regard to stormwater management was noted. Mr. Madden stated they are proposing to have the same drainage patterns as exists today which is sheet flow off of the back of the property from the pavement to the lawn. He stated the lawn will help with cleaning the oils from the property. They did not propose a detention basin because oil coming from the property could sit in a detention basin. They wanted to treat this as a whole and disperse any pollutants coming off of the road.

Mr. Murphy stated Item 1. I relates to this as well and deals with elimination of curbing in certain locations in order to maintain the existing sheet flows. Mr. Majewski stated both his office and the EAC reviewed this, and they feel that what has been proposed for stormwater management is adequate. He stated there is a 150' grass strip off the gas station. He stated they will also plant an additional twenty trees to help soak up water, and they feel this is better than having a small detention basin or to try to promote infiltration which they did not feel was appropriate for a gas station. Mr. Madden stated the water that will be channeled along the curb will be directed to a storm sewer inlet system for the intersection and it ultimately goes toward Newtown Township along Washington Crossing Road.

Item 1.J was noted with regard to the requirement that parking lots be separated from buildings by a minimum distance of 20 feet or more; and Mr. Murphy stated this is currently a non-conforming situation on three sides of the building. He stated they will actually reduce this somewhat by relocating two parking spaces that are currently within that distance; so that while the entire non-conformity will not be eliminated, they will improve it somewhat.

Item 1.K was noted with regard to the requirement to plant street trees, and Mr. Murphy stated the whole frontage is macadam, and they are proposing to plant trees elsewhere on the site as noted by Mr. Majewski earlier.

Item 1.L was noted with regard to buffers, and Mr. Madden stated there is a buffer proposed by Orleans when they develop the adjacent Subdivision and this will be 35' to 40' wrapping the whole perimeter of the Village Market so they are asking not to have to put another buffer against that buffer. He reiterated that they will install twenty trees in the back of the Village Market property to help with the water situation.

Mr. Murphy noted Item 1.M relates to this with regard to the need to comply with the Low Impact Development practices; and other than planting the trees, they do not want to infiltrate the gas station property. Mr. Murphy noted Items 1. N, O, P, and Q also relate to this. Mr. Majewski stated what they are proposing to handle stormwater is actually considered a Best Management Practice.

Mr. Majewski has no objections to the Waivers requested.

Item #2 was noted which is now a Waiver request. Mr. Madden stated the Ordinance requires them to provide core samples, and he stated there will ultimately be a design for the road when the road widening is done, and PennDOT would review the ultimate specs for that road so that road cores for this project under discussion this evening would not be pertinent since it will have to be done later for the design of widening of Stoopville/ Washington Cross Road.

Ms. Friedman asked if the Village Market could be negatively impacted by any of the other improvements proposed for this area, and Mr. Madden stated once that project is done, rather than sheet flow, the water will be collected by storm sewers and piped. Mr. Majewski stated the EAC brought this up as well, and he advised them that the “spur” of Stoopville Road will be removed and this removal offsets any additional paving. He does not feel there will be any significant additional paving added as part of the intersection re-alignment.

Mr. Madden stated they will comply with Items #3 through #8. He stated Items 9.A and 9.B are Waiver requests from the Neshaminy Creek Watershed Stormwater Management Ordinance. Mr. Majewski stated this matter did go through the EAC; and after some initial concerns, they were comfortable with what is being proposed.

Mr. Murphy stated they will comply with Items #10 through #12.

Mr. Murphy noted the 7/8/09 review letter from TPD, and they will comply with all items.

Mr. Murphy stated he has been provided a copy of the 7/5/09 letter from the EAC, but that comment letter was subsequently amended by a further response to Mr. Majewski indicating that they supported Mr. Majewski's review comments and agreed not to pursue their own comments.

The 6/23/09 review letter from the Bucks County Conservation District was noted, and Mr. Madden stated they will comply with all items.

Ms. Frick noted the 6/8/09 review letter from Mr. Yates who asked that the Township engineer review the turning radius for fire apparatus.

Mr. Murphy stated they do have the 7/2/09 review letter from the Bucks County Planning Commission that includes items already discussed this evening.

Mr. Dickson moved, Mr. Pazdera seconded and it was unanimously carried to recommend to the Board of Supervisors approval of the Preliminary/Final Plan dated 5/19/09 subject to compliance with the 7/9/09 Remington & Vernick review letter, the 7/8/09 TPD letter, and the 6/23/09 Bucks County Conservation District letter. With regard to the Remington & Vernick letter Waiver #F is deleted as there is no longer any need for this Waiver, and Item #2 on Page #5 becomes an additional Waiver in accordance with the updated Waiver list from ESE dated 7/27/09. The Planning Commission supports the Waivers requested.

#### #573 – O'ROURKE TRACT – SEWER PLANNING MODULES

These were signed following the meeting.

#### OTHER BUSINESS

Mr. Dickson asked if a Permit was obtained for the Frankford/Aria sign, and Ms. Frick stated they did get a Permit for the one sign that is still remaining.

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The other Frankford/Aria sign has been removed. Mr. Dickson asked about the other sign posted by those opposed to Frankford, and Ms. Frick stated this sign is not located in Lower Makefield Township.

There was discussion on the new procedures regarding e-mailing as opposed to printing various paper materials in the Township; but due to the fact that two members were absent this evening it was agreed to consider this matter further at a future meeting. Mr. Simon stated he feels they should attempt to be as electronic as possible to help cut down on the tremendous use of resources and paper.

There being no further business, Mr. Pazdera moved, Mr. Dickson seconded and it was unanimously carried to adjourn the meeting at 8:25 p.m.

Respectfully Submitted,

Karen Friedman, Chairman