

TOWNSHIP OF LOWER MAKEFIELD
PLANNING COMMISSION
MINUTES – NOVEMBER 23, 2009

The regular meeting of the Planning Commission of the Township of Lower Makefield was held in the Municipal Building on November 23, 2009. Chairman Friedman called the meeting to order at 7:35 p.m.

Those present:

Planning Commission: Karen Friedman, Chair
 John Pazdera, Vice Chair
 Mark Fried, Secretary
 Tony Bush, Member (joined meeting in progress)
 Dean Dickson, Member

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

APPROVAL OF MINUTES

Mr. Pazdera moved, Mr. Dickson seconded and it was unanimously carried to approve the Minutes of September 28, 2009 as corrected.

#599 – LUTHERAN CHURCH OF THE RESURRECTION – PRELIMINARY/FINAL PLAN APPROVAL

Mr. Edward Murphy, attorney, was present with Gary Bullock, engineer. Mr. Murphy stated that this matter was last before the Planning Commission on September 28 and there was discussion about the status of the Plans for a 700 square foot addition with a second floor on top of the addition. He stated the Planning Commission had some questions about the Plan and deferred making a recommendation that evening. Mr. Murphy stated subsequently, they submitted a revised set of Plans in mid-October, and the engineer has issued a review letter dated 11/2 in response to those revised Plans.

Mr. Bush joined the meeting at this time.

Mr. Murphy stated the Township engineer's 11/2 review letter lists the requested Waivers which have been previously discussed. He stated as a result of the revised Plan submission, there is an additional partial Waiver noted in paragraph 2. He stated they will comply with the balance of the review comments; and he stated they feel that the Plans are ready for recommendation by the Planning Commission this evening.

Ms. Friedman asked why there is no sprinkler system when the second floor will have classrooms. Mr. Bullock stated the correspondence he read from the architect indicated that the existing church and classrooms are unsprinklered so the addition was not being sprinklered either. Mr. Murphy stated it is not a requirement. Ms. Friedman and other Planning Commission members felt this should be required for the second story since there could be classrooms packed with children.

Ms. Friedman thanked the Applicants for installing landscaping in the area that will potentially need this in the future so that it will have grown more.

Ms. Friedman asked how much room for growth they will have with the additional classroom space. She asked about the total number of students now and how many they anticipate. Mr. Murphy stated while they do not know, he feels they are limited by the Fire Marshall.

Mr. Majewski noted with regard to the prior discussion about sprinklers, that if this is required by the Building Code, they will have to comply; and Mr. Murphy stated they understand this.

Mr. Pazdera asked Mr. Majewski about the parking ratio per the Ordinance if it were just classrooms and an office; and Mr. Majewski stated he would have to check the Ordinance. Mr. Pazdera asked what the existing sanctuary will become once they do the second phase of the project. Mr. Walt Reller, a representative from the Church, stated the existing sanctuary will be converted to a chapel which would be used for smaller gatherings. He stated the current choir loft would remain as a loft with the ability to close it off so that it could become a music room. Mr. Pazdera asked if there would ever be an occasion where the new sanctuary would have an event at the same time that the chapel is in use, and Mr. Reller stated he does not foresee this. Mr. Pazdera asked if they considered this possibility when they did the parking calculations. Mr. Murphy stated they are required to provide one parking stall for each three permitted seats; and in the sanctuary, there are proposed to be 195 seats as the parking is required to be based upon the largest meeting space within the facility. Mr. Majewski stated there is an alternative standard where one space is required for every 40 square feet of floor area for gathering spaces of 15 persons or more. He stated this calculation was done, and the number of seats in the sanctuary controlled the parking calculations. Mr. Pazdera stated there could be two events at the same time, and he feels they should include the chapel and the sanctuary seats. Mr. Murphy stated the Ordinance requires that the calculation be based on the largest gathering space. Mr. Majewski stated he would look into this further.

Mr. Fried asked the current membership, and Mr. Reller stated he feels it is about 600 members. Mr. Fried asked if the expansion is to accommodate the existing membership or do they anticipate expanding membership. Mr. Reller stated the current project to add the second floor is for the current Sunday School students as the current classes accommodate two grade levels in each class, and they would like to provide one class for each grade. He stated this would be from Pre-K to Sr. High. It was noted there is no day care during the week, and this is for Sunday School and Church hours. Mr. Fried asked if there are currently parking problems with people parking on the street, and Mr. Reller stated they cannot park on Makefield Road. He stated when they have overflow, they go onto the grass areas. Mr. Fried asked if they anticipate that this will continue to happen, and Mr. Reller stated on Easter and Christmas this problem will continue to happen until they address Phase II.

Mr. Pazdera moved and Mr. Dickson seconded to recommend to the Board of Supervisors approval of the Preliminary Plan last revised 10/5/09 subject to compliance with the 11/2/09 Remington Vernick letter and the 10/26/09 Remington Vernick letter regarding sanitary. The Planning Commission recommends approval of the Waivers.

Mr. Curtis Panzer, Friar Drive, stated there are long-standing water problems in the area. He questioned the needs of the Church, and stated he does not feel there have been any hard surveys of what their need is. He stated they have acknowledged that Church membership is going down and that half of the people who will be served, are people who are not from Lower Makefield. He stated there were plans for porous material for parking, and he does not believe that this is permitted in terms of the calculations. He stated he feels this should be postponed until the Church comes up with proof that there is a need.

Ms. Friedman asked if he is questioning the full build out or the 700 square foot addition which is proposed with a second level which will not change the impervious surface. She stated no additional parking is proposed at this time. Mr. Panzer asked if it is true that if this phase is approved, that this will not affect later plans, and that they will have to come back to the Township again. Ms. Friedman stated this recommendation is only for Phase I A and B, and they will have to come back for approval for Phase II. She stated her understanding is that what is proposed this evening is not being done to address growth of the Church, but is meeting the needs of the people who are there. She stated the second phase would be for additional growth. Mr. Reller stated the second phase would not be for at least two years. Ms. Friedman stated the Phase II addition would involve stormwater management which will have to be addressed.

Motion carried unanimously

Mr. Murphy asked if the Planning Commission would entertain this being considered a Preliminary/Final Approval. Mr. Majewski stated he does not have a problem with this, and they only have to add a few technical items. Ms. Frick stated they will have to pay the fees.

Mr. Pazdera moved, Mr. Dickson seconded and it was unanimously carried to recommend approval of this as a Preliminary/Final Plan.

#582 – SANDRA MIDDLEMISS PRELIMINARY PLAN APPROVAL

Ms. Sandra Middlemiss was present with Mr. Robert Pelke. Mr. Pelke stated they were before the Planning Commission in January, and it was requested that they submit a limited EIA report which they did comply with. He stated they revised the Plans in accordance with the Township engineer's letter from December, 2008. He stated this is a three-lot Subdivision of a 3.5 acre tract. There are two new buildings being proposed, and one lot will contain the existing house. They are proposing three seepage beds and six rain gardens distributed on all three lots. They are also proposing a Conservation Easement on Lot #3 of 1.5 acres and a 20' wide disturbance restriction along the cemetery on the west side of the property. They are requesting four Waivers as previously discussed, but are only requesting a partial Waiver of the EIA as they have submitted a limited report. Mr. Pelke stated they are in receipt of the Township engineer's review letter dated 11/12, and they will comply with all comments.

Ms. Friedman stated she was very pleased to see all the rain gardens proposed.

Mr. Bush stated at a prior meeting there was an issue about approval from Yardley Borough since part of what will be Lot #3 will be in Yardley Borough. Mr. Bush stated he understands that the only request from Yardley Borough was to keep them informed. Mr. Pelke stated he has had no further information from Yardley Borough. Ms. Frick noted the Yardley Borough Manager is present this evening.

Mr. Majewski stated the Applicant had requested a Waiver of Land Development from Yardley Borough since the only part of the project that is within the Borough is the area that will be completely contained within a Conservation Easement. He stated Yardley Borough's main concern was stormwater management so that it would have no impact on Yardley Commons; and he believes that with the addition of the rain gardens and some of the modifications made related to stormwater management, they have eliminated any potential problems with stormwater impacting the Yardley Commons property.

Mr. Donaghy stated there have been some questions about the nature of the Conservation Easement in the open space, and he sees one of the items in the engineer's review letter does pertain to the fact that the form of the proposed Conservation Easement has to be approved by both the Township and the Borough solicitors. Mr. Donaghy asked if it is their intention that the Conservation Easement will provide that there can be no disturbance of that area and that there will be no further subdivision of that area, and Mr. Pelke agreed. Mr. Pelke stated before signing the Mylars, they will submit a draft of the Agreement.

Mr. Dickson moved and Mr. Bush seconded to recommend to the Board of Supervisors approval of the Preliminary Plan dated last revised 2/10/09 subject to compliance with the Remington & Vernick letter dated 11/12/09 and the EAC letter dated 10/18/09. The Planning Commission recommends approval of the Waivers listed in the 11/12/09 Township engineer's letter.

Mr. Keith Harris, Stackhouse Drive, asked what they are doing to address the water coming down Stackhouse. He stated he has had to put in a speed bump at the end of his driveway to stop the water from coming down and washing out his driveway. Mr. Pelke stated they are installing rain gardens in front of the lots and will catch all the roof leaders from the house into seepage beds. He stated after construction, the run off from the property will be less than it was pre-construction. Mr. Majewski stated they are also adding eighty-two trees on the property which will help absorb water. He stated all the roof run-off that comes from the property will be piped into underground seepage beds to percolate into the ground and slow down the water before it goes down the road. Mr. Majewski stated in the Developer's Agreement it will be included that if during the course of construction, they see the Plan is not working as designed, the developer will have to agree to do any additional measures needed to mitigate any stormwater problems created by the project. Mr. Majewski stated he is aware of the run off in the area.

Ms. Page Peters asked how rain gardens work. Mr. Pelke stated a rain garden is a depression in the ground with modified soil that helps absorb water. He stated additional trees will help as well as a wooded lot has less run off than a grass field. Ms. Friedman stated rain gardens are designed to pull any water that is sitting on the property into areas where the rain garden is depressed deeply into the ground by at least 2' and filled with native plants that like "wet feet." She stated this really makes a difference with any water leaving the property. She stated they are installing six rain gardens. Ms. Friedman stated they will also pipe the roof water, and the drains are sent into the rain garden areas so that water is not running off into the streets. Ms. Peters asked if there is any guarantee that this system will stay in place once the homes are occupied. Mr. Majewski stated part of the approval of the project will require a Stormwater Maintenance Agreement to be filed and recorded in the County, and this will run perpetually with the property beyond the current owners; and they agree they will do everything they can to own and maintain the

structure properly. Mr. Majewski stated if they do not maintain it, the Township can step in and do what is necessary to the stormwater management feature and charge the homeowner.

Ms. Jan Brown, 2221 Stackhouse Drive, stated she understands the houses will be 2,200 square feet as opposed to 4,000 as previously proposed. Mr. Pelke stated the two proposed houses have a 2,000 square foot footprint. There is a height limit of 35'. He stated they do not yet have any architectural drawings at this time.

Ms. Page Peters stated the average square footage of the houses are 2,000 to 3,000 square feet and 4,000 square feet would be much larger than any of the homes in the area. She stated the area is very much sought after because of the character of the homes with lots of space between the houses. Mr. Pazdera stated the footprint they are proposing will be similar to the footprint of the rest of the neighborhood. He stated if they put on a second floor, they will have more square footage than the other houses in the neighborhood, but the footprint would be approximately the same size. Mr. Pelke stated the existing home on Lot #3 is larger than the two proposed homes. Mr. Pazdera stated the footprints of the adjacent homes are shown on the Plan, and these footprints are comparable to what they are proposing for the two new homes. Mr. Majewski stated the houses shown on this Plan are somewhat smaller than the houses shown on the previous Plan.

There was a question about the setback from the road, and Mr. Pelke stated it is the 30' required. Someone from the audience indicated that the current houses are set back further, and Mr. Pazdera stated if you look at the existing houses shown on the Plan, they are the same as the proposed new lots. Mr. Majewski stated the 30' setback is from the right-of-way line; and from the actual edge of the roadway, it is an additional 15' to 20' so the houses will be about 45' back from the actual roadway, and this is comparable to the other homes in the neighborhood.

Mr. John Collins, 2207 Stackhouse Drive, asked if they know if the property owner plans to sell the property or will she build the houses. Ms. Middlemiss stated this process has been very costly; and at this point she is not willing to commit that she would put in the investment and build the homes on the property. She stated she will improve the existing stone house. Mr. Collins asked if there is any chance she will abandon the project, and Ms. Middlemiss stated there is not.

Ms. Kathleen Collins, 2207 Stackhouse Drive, stated she has never had a water problem until this year, and she has lived in her property for thirty years. She stated they have had to do thousands of dollars worth of landscaping and drainage ditches. She stated if this Subdivision takes place, no one will know what water damage will happen in the future.

She stated she feels the Township should address this since it is nothing that the existing homeowners have done. Ms. Friedman stated patterns of weather do change. She stated with every property approved, the Township is very strict about stormwater management on that property, and there should be no adverse effect on the neighboring properties; and in fact stormwater coming off each property developed should actually be better. She stated the rain gardens and other techniques being implemented make a huge difference in keeping water on a property.

A gentleman from 2225 Stackhouse Drive, stated the Township paved their street two years ago, and he had a conversation with Mr. Coyne at the time who indicated that the residents should petition the Township to make improvements on Yardley Road because of all the run off. He stated when there is a heavy rain, there is a lake behind his home. He stated nothing has been done. Ms. Friedman stated this is not something that the Planning Commission can address, and they should contact the Board of Supervisors through the Township Manager. Mr. Majewski stated Yardley-Morrisville Road is a State Road so the Township's involvement could be minimal, but they could send a letter to the Township.

Motion carried unanimously.

#605 – JENNING TRACT PRELIMINARY PLAN DISCUSSION

Mr. Joseph Jennings was present with Mr. Curtis Rittler, engineer. Mr. Rittler stated this property is at the intersection of Taylorsville and McKinley. He stated in June they were before the Zoning Hearing Board to request Variances with respect to lot size and density. Mr. Rittler stated the tract is 9.6 acres. It is heavily wooded, and they are also covered with floodplain soils. He stated between these two protected natural resources, even though they have 9.6 acres of gross lot area, they could not meet the net lot requirements to even get a two-lot Subdivision even though they are in three-acre Zoning. He stated the Zoning Hearing Board granted them the relief needed, and they have prepared the Plans being shown this evening. Mr. Rittler stated they propose to construct a single-family dwelling and potentially some accessory structures on Lot #2. He stated Mr. Jennings currently lives in the existing non-conforming structure on Lot #1. Mr. Rittler stated the rest of the property will be in a Conservation Easement, and the project will be Deed-Restricted from further subdivision in accordance with one of the Conditions of the Zoning Hearing Board.

Mr. Rittler stated they are in receipt of the Bucks County Planning Commission review letter dated 10/14/09, the Remington & Vernick letter of 10/15/09, and a memo from Remington & Vernick with respect to the NPDES Application. Mr. Rittler stated they have addressed the comments with respect to the NPDES Application, and those

corrections and revisions have been re-submitted to the Conservation District. Mr. Rittler stated they also have a Gilmore & Associates review letter dated 10/6/09 with respect to the sanitary sewer and a Birdsall Services Group letter dated 9/23/09.

Ms. Friedman asked that they review the Remington Vernick letter of 10/15/09.

Mr. Rittler noted the Waiver listed as I.A, and stated the engineer has indicated that they should probably request a Waiver of Section 178-28.Z, and this requirement would have them locate wells, on-site septic systems, stormwater management facilities, and other similar features on or within 200' of any part of the land to be subdivided or developed. He stated they have included an aerial photograph which shows most of the man made features within 200' of the property. Mr. Rittler stated he is unaware of any wells or on-site septic systems within 200' of their site; and everything is on public water and sewer. He stated they would be willing to locate stormwater management facilities within 200'. Mr. Ritter stated they will amend the Waiver request to correct the Section.

Mr. Rittler stated Waiver 2 requests that they be allowed to maintain the existing 50' right-of-way along McKinley Road instead of 56'. Waiver 3 is a request from having to provide bikepaths, and Mr. Majewski has indicated that this Waiver is not necessary.

Item #2 was noted, and Mr. Rittler stated they have submitted Plans to Yardley Borough, but they have not received back any comments.

Mr. Rittler stated they will comply with Items #3 and #4.

Item #5 was noted, and Mr. Rittler stated they are requesting a Waiver to the requirement to install sidewalks. He stated there are no sidewalks on Taylorsville or McKinley. He stated the aerial photograph shows where the existing sidewalks are located.

Mr. Majewski stated the nearest sidewalk is on Dolington Road several hundred feet away. Ms. Friedman stated she does not feel there is any need for them to install sidewalks since there is no connection and no prospect for connections in the future.

Mr. Ritter stated they will comply with Item #6.

Item #7 was noted, and Mr. Ritter stated their Stormwater Management Plan involves providing three re-charge beds on Lot #2, and they do have very good percolation. He stated no stormwater from the developed portions of the site will leave the site, and water will all go back into the ground. He stated they will comply with the request for additional tests.

Mr. Rittler stated they will comply with Items #8 through #13. He added they would like to discuss some of these items further with Mr. Majewski to make sure that they address them to his satisfaction.

Mr. Rittler stated they will comply with Items #14 and #15.

Item #16 was noted, and Mr. Rittler stated he does not feel they would need approval from Yardley Borough. He stated the Ordinance does ask that they submit Plans to them for comment, and they have submitted them; and they will see what the comments are and bring them back to the Township. Mr. Majewski stated the driveway will exit onto a road that is owned and maintained by Yardley Borough so to some extent, they will have to approve some measure of the Plans.

Ms. Friedman asked the length of the driveway from the point of entrance to the house, and Mr. Rittler stated it is approximately 360' to the bend. Ms. Friedman asked once it goes around the bend, is this impervious surface for a driveway, and Mr. Rittler agreed it is. Mr. Rittler stated there have been subsequent discussions with the Applicant, and there is going to be some modification of the complex of three buildings; and it will be just one building, and the impervious surface will be reduced. Ms. Friedman stated there is a maximum length for a cul-de-sac; and she asked if this proposed driveway is within the range. Mr. Majewski stated the maximum permitted length for a cul-de-sac road would be 440' so they are within this limit.

Ms. Friedman asked for more information about the accessory buildings. Mr. Rittler stated the Applicant is a landscape contractor, and he also has some activities he does in his private time that he would like to do separate from his house. He stated the original intent was to provide him with a small storage and workshop area. Mr. Bush asked if this is no longer the intent, and Mr. Rittler stated there is a new Plan showing the new intent for Lot #2. Ms. Friedman stated the Planning Commission does have the new Plan that Mr. Rittler is referring to.

Mr. Simon asked if the additional structure will be heated. Mr. Rittler stated the Zoning Hearing Board addressed this and put a Condition on the Variance that any accessory structure could not be constructed as a dwelling and only one dwelling would be on Lot #2. Mr. Simon asked what would be in the accessory structure. Mr. Jennings stated he is working on artistic projects in his spare time. He would like a hose in the structure, but there would be no sewer or heating. There would be electricity. Ms. Friedman stated the two buildings are now connected, and there will not be an accessory structure. Mr. Rittler agreed that it will now be one structure.

Mr. Pazdera stated because there are a number of outstanding issues, he does not feel it is appropriate to make a Motion at this time. Mr. Bush stated they also have to have input from Yardley Borough so they know if they have any concerns. Ms. Frick stated if there is to be a home occupation, it must be a permitted home occupation or they would need to get relief from the Zoning Hearing Board.

Mr. Bill Winslade, Yardley Borough Manager, stated he would like to recommend prior to a Motion being passed that Yardley Borough share Mr. Majewski in the review process.

Ms. Frick stated they will need an Extension until 3/11/10, and the Applicant agreed to the Extension and will send this request in writing.

#314-B – GIANT FOOD STORES, LLC – INFORMAL SKETCH PLAN

Mr. Jeffrey Garton, attorney, was present with Mr. Douglas Gosik, engineer, and Mr. Joe Lacaderia representing Giant Food Stores. Mr. Lacaderia stated they have been part of the community since 1986 and operate a 43,000 square foot store, but are unable to offer at the Lower Makefield location all the products and services that they can at some of their other facilities. He stated with an expansion of the facility they would be able to remain competitive in the market as well as widening some of the aisles and the check-out area. He stated they are present with a Sketch Plan, and their goal is to let the Planning Commission know what they would like to do.

Mr. Gosik showed an aerial photo of the site. He stated currently they have a 43,000 square foot facility with the primary point of access off of Stony Hill Road and a driveway off of Edgewood Road that goes along the back and out toward the adjacent shopping center. He showed truck access and truck service off of the driveway off of Edgewood. He stated this driveway extends down along the west side of the store in the front parking lot so that there is an existing congested area with the trucks and passenger vehicles. He showed the existing parking lots.

Mr. Gosik stated they have prepared a conceptual Plan showing an expansion of the Giant Food Store, and they are proposing to expand out the back of the store and to the west side of the store. He stated the key dimension needed to best serve the customers is the depth dimension, and what they are showing is a store depth of 204'. He stated they are trying to expand the store width so that the total width will mirror one of their prototypes. He stated they are showing an 88' expansion to get to a total width of 300'. He stated the net result is approximately 28,000 square feet of store expansion from 43,000 square feet to approximately 71,500 square feet including some second floor space. He stated there is proposed second floor space over the new vestibule, and this would be for offices. Mr. Gosik stated this is only a conceptual lay-out.

Mr. Gosik stated with this expansion, they would be able to eliminate the side driveway that comes down the west side of the store, and they would segregate the trucks and service vehicles at the back of the store, and they would not give customers the chance to go around the side of the store. This would avoid the mixture of service and passenger vehicles. He stated they could still enter off the service drive further to the east. Mr. Gosik stated they are also proposing a potential point of access off of Langhorne-Yardley Road located approximately 300' north of the intersection with Stony Hill Road.

Mr. Gosik stated they are also proposing smaller retail spaces with some second floor offices and residential space trying to provide some of the units that would be consistent with the recent planning for this area. Ms. Friedman asked about the second floor. Mr. Gosik stated they are not at the point yet where they have elevations. Ms. Friedman stated they are showing a shaded area as being the expansion and she asked how much they feel they need for office space upstairs, and Mr. Gosik stated this could vary; and if this is an issue, they could eliminate the office space altogether. He stated routinely it is 2,000 to 2,500 square feet.

Mr. Bush asked who owns the land where they are proposing the access point to Yardley-Langhorne Road, and Mr. Gosik stated it is owned by Mr. Messick, and they have had discussions with Mr. Messick.

Ms. Frick asked for the Tax Parcel Numbers for the two parcels, and Mr. Gosik stated they are #20-16-65 and #20-16-64.

Mr. Simon asked how much space there is between the proposed new entrance and the bank noting there is significant congestion in the parking lot. Mr. Gosik stated at its closest point the bank is approximately 50' from the driveway. Mr. Simon asked the distance from the entrance point into the parking lot, and Mr. Gosik stated this would be 250'. Mr. Simon stated he feels what they are proposing is very tight. Mr. Bush stated he did not agree.

Mr. Fried asked if this will be a complete retrofit of the store, and Mr. Lacaderia stated they will re-design the inside, widen the aisles, and change the perishable department. Mr. Fried asked if there will be a different façade, and Mr. Lacaderia stated they are very sensitive of the character the store has with the rest of the shopping center, and currently, they plan to maintain that image unless there was different feedback. Mr. Fried asked if they have looked at the marketplace and the needs of the community, Mr. Lacaderia stated this is ongoing. He stated they are not able to offer all the product variety and services at this location including self-scanner checkouts. He stated they also do not offer a full-service Floral Department, and would also like to offer more natural, organic products. Mr. Fried asked if the company is going through its entire inventory or was it feedback from customers. Mr. Lacaderia stated Giant continually monitors customer

feedback each year for each store; and based on customer surveys and store management interviews, the stores are prioritized, and this store has been on the list for some time, and they are considering internally how they can expand and offer all the products and services.

Mr. Simon stated the lot is tight. Mr. Gosik stated they do recognize there are limits, and they know there will be Zoning relief necessary for the expansion process to move forward. He stated he also feels there may have to be some flexibility with respect to the extent of the expansion. Mr. Simon asked if there are things Giant believes aside from the check out that are not being included at this store that make them feel they are unable to be competitive, and Mr. Lacaderia stated this is true particularly with regard to organic products and their perishable department where they are not able to offer as much variety. Mr. Simon stated there was a supermarket property that sat vacant for quite some time in the Township which had a fairly significant footprint, and he asked if their company investigated re-locating to that location. Mr. Lacaderia stated he was not part of this discussion, but he could look into this; and Mr. Simon stated he would like to know about this.

Mr. Bush asked if there are plans for changes to the rest of the shopping center, and Mr. Gosik stated he is not aware of any at this time.

Mr. Pazdera asked what they are proposing for stormwater management for the additional impervious surface, and Mr. Gosik stated the site currently exceeds the impervious surface as the Ordinance allows 65%, and they are near 73.5%. He stated they will be increasing this with the lay out shown by 3%. He stated they are hoping that they can reduce this, although he is not sure at this time that they will be able to maintain existing impervious surface levels. He stated the existing stormwater management for the site is a detention basin which he showed on the plan, and added this is partially impacted by the improvements being shown, and they will look at reconfiguration of that facility, supplementing it as necessary with sub-surface detention. He stated they have started to look at Giant sites with respect to the feasibility of porous pavement recognizing that this is still included as impervious coverage; but it does address some of the concerns with the extra run off generated by the impervious surface.

Ms. Frick stated this parcel, #20-16-62, is located in the Historic District, and there was a lot of discussion with regard to the Historic District, signage, traffic connected with the bank, the bank wall, etc. Mr. Garton stated they do recognize this.

Mr. Pazdera stated currently the drive around the side serves a purpose for fire access; and if they are eliminating this, they would have to discuss this with the Fire Department. Mr. Gosik stated they would not have the circuitous route around the building, but they would still be able to get apparatus close by. Mr. Pazdera stated if they are maintaining the basin, it would require the firefighters to walk through a basin with hose from the road to get to a fire.

Mr. Simon asked if they have explored approaching any of the other tenants about expanding into their spaces, and Mr. Lacaderia stated they have looked at both sides of the building; and the sketch they are showing gave them a better “box.” He noted this is still in the preliminary stage.

Mr. Gosik stated the other Zoning issue has to do with parking requirements. He stated currently they satisfy the parking requirements, but with the proposed expansion, they will not meet the parking count requirements, and they will be short by approximately 165 spaces. He stated Giant would not want to spend money on a store expansion and not provide adequate parking for the site. He stated this week is the busiest week of the year for Giant, and they intend to do a comprehensive parking study of the existing center on Wednesday, “Black” Friday, and Saturday. He stated they also have historic information available that will allow them to extrapolate out what the parking requirements would be if they had a store expansion. He stated if Giant completes the study and feels that they will not have adequate parking, they will not pursue the expansion or they will substantially reduce the scope of the expansion.

Mr. Dickson asked if they were not able to pursue the expansion, would they consider closing the Store; and Mr. Lacaderia stated they would not, but they may have to look at other options such as expansion to the other side, or a minimal expansion. He stated they are looking for an option to be able to offer all the products and services. Mr. Dickson stated he recalls that there was a prior expansion of the store, and Mr. Lacaderia stated there was. Ms. Frick stated they took over two stores. Mr. Gosik stated one of the issues they have when they consider an expansion to the east is that the depth would be very limited because they would start to interfere with the rear access drive that continues to the adjacent center. Mr. Dickson asked if they would lose any current parking spaces, and Mr. Gosik stated with the new vestibule provided, there would be one space lost off of each of the rows of parking. Ms. Frick asked if they indicated that they are short 165 parking spaces or would this expansion require an additional 165 parking spaces. Mr. Gosik stated they would need an additional 165 spaces. He stated these are preliminary calculations. He stated they have a total of 370 existing parking spaces, and they would look to add 27 spaces to get to 397; but based on their calculations the total required would be 562 spaces. He stated the Ordinance requires one per 150 square feet of floor area which is a stringent requirement when you look at industry standards.

Mr. Majewski stated he agrees that the Township parking counts are a bit conservative, but the deficit they have seems substantial. Mr. Gosik stated this is why they are doing the parking study this week.

Mr. Majewski stated he knows they are expanding into one of the lots that is owned by Mr. Messick, and there was an existing historic home there that was demolished; and part of the approval for demolition was that it would be re-built on that site. Mr. Gosik stated they have met with Mr. Messick who explained this to them, and they are showing that it would be re-constructed at that location. Ms. Frick asked if they are showing any parking associated with that, and Mr. Gosik stated there is parking in the back as well as on street parking. Ms. Frick asked if the other retail shops shown are proposed or existing, and Mr. Garton stated that is vacant land so they are proposed. Ms. Frick asked the square footage of those combined, and Mr. Garton stated it is approximately 8,800 square feet between that and the historic structure. Mr. Garton stated this would be retail on the first floor and either residential or something else on the second floor. He stated the calculations Mr. Gosik provided of the deficiencies include those uses as well.

Mr. Garton stated they will have to deal with the parking variances which may be significant. He stated if it does not work for Giant, they may decide not to proceed. He stated they will also need to deal with traffic issues related to the Wachovia Bank and the entranceway. He stated they will also find out how many square feet are proposed on the second floor of the Giant. He stated they will also need to deal with the Historic District issues, the Fire Department, and making sure that the stormwater management is sufficient.

Mr. Simon asked if there are other things short of the full expansion that could be done to upgrade the store. Mr. Lacaderia stated they have remodeled this store three times, but there is only so much they can do in the limited amount of space they have. Mr. Gosik stated their smallest prototype is 50,000 square foot, and this store is 43,000 square feet.

Ms. Friedman asked if all the production associated with the business could be done on a second level such as the meat department, kitchen/food prep so that they could move this upstairs and use the first floor for store expansion without expanding the footprint. Mr. Lacaderia stated this would be expensive and he feels it would also be inefficient. He stated typically second floors hold office space or cafes, and they do not have production on the second floor. Mr. Lacaderia stated what they are doing now with their stores is making the back rooms more efficient so that they can minimize that space.

Mr. Simon stated if they moved the production upstairs, the floor space downstairs could be utilized. Mr. Gosik stated logistically this would be very difficult because you would have to take meat off the truck and take it up to the second floor and then back down to the first floor. He stated the second floor space would be the vestibule area. Mr. Simon stated he feels because of the problem of the footprint, there may be other ways they could conceive for finding space. Mr. Gosik stated they are not certain that they are going to go with a second floor, and when they look at the architectural plans a second floor space may not make sense. Mr. Simon stated they are suggesting that they may

want to see if there is a different way to do this project so that they can do everything they want to achieve. He stated he feels the parking issue will be difficult since if the expansion proceeds, more people will want to come to the Giant to shop.

OTHER BUSINESS

Ms. Friedman stated there was a prior conflict with the Yom Kippur holiday, and she apologized for this conflict. She stated the meeting was held and issues were heard which she feels were handled well by the three Planning Commission members present. She stated there were items that had to go to the Board of Supervisors. She stated she did not mean any disrespect. She stated they will discuss other potential conflicts to make sure that this does not happen again.

Ms. Frick asked about meeting dates in December noting that the first meeting date is December 14 which is over the Hanukah celebration; and Mr. Bush stated this was discussed previously, and he does not feel this is a reason not to have a meeting since it is not that kind of holiday. There was discussion on the second meeting date in December which would be December 28; and it was noted that both December 14 and December 28 are possible meeting dates provided there Agenda items.

DISCUSSION REGARDING PLANNING COMMISSION INFORMATIONAL PACKET BEING SENT ELECTRONIC VERSUS PAPER

Ms. Friedman stated Mr. Simon had suggested that the Planning Commission consider utilizing e-mail to save on paper. She stated there was prior discussion about having a central person who would gather the information and then send it out to the appropriate people. Ms. Frick stated currently the EAC is sending out their information to Mr. Majewski and this has caused confusion. She stated the Plans that are coming in from the developers are not done on a PDF and the Board of Supervisors will be considering this in an Ordinance or Resolution.

Mr. Bush stated in the past they were getting information spread out over months with some information coming in May and the Applicant may not be in front of them until November; and if the Planning Commission is getting e-mails at different times, it is difficult to keep it all together. He asked if the Township is considering a system such that Ms. Frick could keep all the information on a specific Application in one place and she would either send it to the Planning Commission members, or the members could have remote access to it.

Mr. Simon stated what they have been doing for the Board of Supervisors is they are creating for them electronic packets that the Board members access through a VPN. He suggested that Ms. Frick discuss this with Jay so that they could create a VPN access for the Planning Commission members and have a packet for each project so that all the documents would be accessible. He stated they have discussed creating a computer-access program where at the center table there would be computer terminals, and the members would log in with a password to access the data points so that they would not have to print anything out at home. He stated while this would be a small investment, it would be a savings in the long run in terms of savings for paper for all the Boards in the Township. Mr. Simon stated these terminals would also be accessible to the public when there are no Board meetings in session. He stated the Seniors could use the room to access the Internet as well. He stated immediately he feels they could investigate having the packets for the Planning Commission and Jay would set up a VPN for everyone.

Ms. Friedman stated currently they get packets with piecemeal information for projects as it comes in. She stated she does not feel it is necessary that they get everything immediately when the project is not coming before them for a number of months. She suggested that Ms. Frick set up a file and add to it as items come in, and when she knows it will be coming before the Planning Commission, Ms. Frick could send it out to the Planning Commission members. Ms. Friedman stated she would like to have a copy of the engineer's report and possibly the Bucks County Planning Commission report; but she would only need to read the other reports. Mr. Simon stated there would be a file folder for each project, and all the pertinent documentation would be in there.

Mr. Simon stated he feels such a folder would be better for the Planning Commission than e-mailing. Ms. Friedman stated this way they could access it whenever they want to. Mr. Majewski stated Ms. Frick would be able to put the information into the folder as it comes in, and the Planning Commission members could look at it when they wish to. Ms. Frick stated she will contact Jay about this procedure.

Mr. Fried stated he is concerned about the EAC and the way they are communicating as it is very difficult to follow. He asked if there is a way they could rein this in so that there is a central person. Mr. Simon stated he is the liaison to the EAC, and he feels a summit must occur among all the advisory committees who are dealing with these issues to discuss the flow of information. He stated he feels the Chairs of the EAC, Zoning Hearing Board, and Planning Commission along with a Township representative should meet to discuss a process flow. Ms. Frick stated the EAC is in the process and they do get the Plans and the review letters, but the EAC then gives it to a "project supervisor" who is the person on the EAC who handles that particular item. Ms. Friedman stated the EAC letters should still be put into the file. Mr. Fried stated he found it a challenge because there were multiple letters on the same topic, and they were layering them on top of each other before there was a response back.

VETERANS MEMORIAL DISCUSSION

Ms. Friedman stated there is a proposal for a memorial at Veterans Square in Edgewood Village. She stated she feels this memorial would be more suitable near the Veterans Cemetery in Newtown as opposed to this proposed location. She is also concerned about future maintenance costs for such a memorial as has occurred previously. Mr. Simon stated what is proposed is a monument to pay homage to past, current, and future members of the military. He stated what is now proposed is greatly scaled down so that it will be contained inside a smaller area inside of the Park. He stated the Board of Supervisors recently indicated they supported the plan and asked that they present a business plan to the Supervisors to manage finances in perpetuity. They are in the process of fundraising, and they cannot initiate the project until they meet certain markers. He stated the costs for this are mostly in the initial phase, and the operation and management is minimal; however, the Board will not approve the project until they have a plan in place to cover this in perpetuity. Mr. Simon stated the location was selected because of its central point in the community with the farmers market and other types of events at that location which will make it visible.

Mr. Bush stated the other Memorial is in a part of Township which is often empty. He stated if they are going to build a Memorial, he feels it should be built in a place where people will go and see it; and from that perspective he feels the proposed location for the Veterans monument is a good location. He stated from a planning perspective for Edgewood Village for Traditional Neighborhood Development, it is a mediocre location, and that land could have had a better utility. He stated there may be other locations in the Township which are highly visible which would be good as well and not be counter to what Edgewood Village was supposed to be.

Mr. Simon stated the Historic Commission has weighed in; and while they have not objected to the location, they have indicated a desire to have input on the look and feel so that it is consistent with the rest of the Village

Ms. Friedman stated she is still concerned that there are going to be maintenance costs for this monument as there are for the other Memorial. Mr. Simon stated this is why he asked them to come back with a fundraising plan and a long-term plan so that the Township would not have to assume any financial accountability. He stated in the other case, there were extenuating circumstances beyond the control of the Board of Supervisors. Mr. Simon stated the Veterans Committee wants this to be a very localized monument for the Township, and it will not be getting any designation at the State level.

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There being no further business, Mr. Dickson moved, Mr. Bush seconded and it was unanimously carried to adjourn the meeting at 9:55 p.m.

Respectfully Submitted,

Mark Fried, Secretary