

TOWNSHIP OF LOWER MAKEFIELD
PLANNING COMMISSION
MINUTES – AUGUST 23, 2010

The regular meeting of the Planning Commission of the Township of Lower Makefield was held in the Municipal Building on August 23, 2010. Vice Chairman Fried called the meeting to order at 7:35 p.m.

Those present:

Planning Commission: Mark Fried, Vice Chairman
 Dean Dickson, Secretary
 Tony Bush, Member
 Karen Friedman, Member

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

Absent: John Pazdera, Planning Commission Chairman
 Dan McLaughlin, Supervisor Liaison

APPROVAL OF MINUTES

Mr. Dickson moved, Ms. Friedman seconded and it was unanimously carried to approve the Minutes of June 14, 2010 as written.

Mr. Dickson moved and Mr. Bush seconded to approve the Minutes of June 28, 2010 as written. Motion carried with Ms. Friedman abstaining.

#596 – ZUBAIDA FOUNDATION – PRELIMINARY/FINAL PLAN APPROVAL

Mr. Tom Hecker, attorney, Mr. Heath Dumack, engineer, and Mr. Mohamed Hussain, representing the Zubaida Foundation, were present. Mr. Dumack stated the property is on Big Oak Road across from one of the access drives to the Charles Boehm Middle School. He stated the site is 4.75 acres and approximately two-thirds of the site is existing, mature woodlands. He stated there is an existing Mosque and parking area on the property as well as a residence currently being used as a residence and library for the Mosque. There is also a playground and a storage shed in the rear yard. He stated they are proposing to add a second story to the Mosque and augment the parking areas to support both the expanded facility and the existing residence/library. He stated the design also includes substantial stormwater management for the site. He stated they

propose two basins working concurrently with each other. Basin 1 is a surface basin that takes some of the runoff from the existing woodlands and some of the downspout leaders from the improved Mosque. It then flows into a second basin which is a sub-surface system, and there is a timed release which then discharges into the existing storm system on Big Oak Road. Mr. Dumack stated part of the project is intended to protect the existing woodlands, and they have proposed a Woodlands Conservation Easement so that everything 32' back from the rear corner of the existing Church would not be allowed to be disturbed.

Mr. Bush asked what has changed since the Applicants were last before the Planning Commission in June. Mr. Dumack stated at that time they had asked for Preliminary approval. Since that time, they have amended their Application and are now asking for Preliminary/Final approval. He stated they have made revisions to the Plan, added additional landscaping, added additional stormwater improvements including additional vegetative areas for both Basin 1 and Basin 2, and made revisions based on comments from the Township's traffic engineer and PennDOT. Mr. Hecker stated this is their fourth submission and as a result of the three prior submissions and narrowing the issues, they felt it was appropriate to treat this last submission as Preliminary/Final.

Mr. Majewski stated there had been some discrepancies in some of the handicap parking requirements and a few other minor issues that this latest set of Plans has resolved. He stated there are a few remaining technical items to be corrected prior to filing the mylars.

The TPD letter of August 13 was noted. Mr. Hecker stated they will comply with Item #1. With regard to Item #2, Mr. Dumack stated they have been working with PennDOT on revisions to the Highway Occupancy Permit Application. He stated PennDOT is not asking for a turning lane on Big Oak Road, and there will be two access drives on and off of Big Oak Road and stormwater improvements.

Mr. Hecker noted Item #7 regarding the cartway width of Big Oak Road, and he stated they are requesting a Waiver on this since the road is 26'; and they are proposing that it remain 26'.

Mr. Hecker noted Item #9 with regard to the location of the "enter-only" driveway which is less than 40' feet from the Charles Boehm driveway, and they are requesting a Waiver on this since it is an existing non-conforming condition. Mr. Fried stated at a prior meeting they had discussed the fact that the service times of the Mosque were at times other than when there would be a lot of activity at the School, and Mr. Hecker agreed.

Mr. Hecker stated they will comply with Item #11 and #13.

Mr. Hecker noted Item #21 with regard to parking stall size. Mr. Dumack noted the location of the existing parking spaces, and Mr. Hecker stated those spaces do not meet the requirements, but the new parking stalls will meet the requirements. They are asking that the existing condition be permitted to remain.

Mr. Hecker stated they will comply with Item #22 and #24.

The 8/20/10 EAC letter was noted. Mr. Dumack stated this letter has to do with the EAC's concern with additional BMP formation for water quality on site. Mr. Dumack stated while the property is almost five acres, they are proposing only 10,500 square feet of additional impervious surface on the site; and for that additional impervious surface, they are proposing a surface basin that is naturally vegetated and a sub-surface detention basin which will allow some infiltration in a first-flush capacity to occur. He stated the northernmost section of proposed angled parking will have permeable blacktop which will allow first-flush waters to infiltrate this blacktop rather than have a surface run off into the streams and the storm system on Big Oak Road. Mr. Dumack stated as part of the design process, they worked with the Township engineer to outline the entire practical and reasonable BMPs for the site. He provided this evening information they had included as part of the Stormwater Application submission. He stated whatever could be done to the site that had no impact with the soils has been accomplished with this configuration. He stated as you go deeper into the sub-soils infiltration is reduced. He stated they have attempted to accommodate all the BMPs that would work on the site taking into account the poor soil criteria including naturalization of Basin 1 and the naturalization of an area above Basin 2 so that if stormwater were to make it past the proposed permeable blacktop it would hit the naturalized vegetative field and then infiltrate into the underground storm system. He stated they are also proposing a rock filter which runs the length of the non-protected woods in an attempt to slow down the water run off to make possible whatever infiltration can be achieved.

Ms. Friedman asked if the EAC had an opportunity to read the report that Mr. Dumack provided prior to writing their 8/20 letter, and Mr. Dumack stated they did.

Mr. Majewski stated the EAC is asking if they can do more on the site; but he feels the Applicant has shown in their stormwater analysis report that within the constraints of the site, there is not much more they can do. He stated the Ordinance Section that the EAC has cited is more tailored to a larger parking lot such as a shopping center rather than in this situation where there is only one small parking area. Mr. Majewski stated he does not feel there will be an adverse impact to the downstream properties. Mr. Majewski reviewed how water runs on the site. He stated they had the Applicant put in an infiltration berm to slow down the water before it reaches the parking area and the upper detention basin. He stated the water will then go across the parking area proposed to be built and into the porous pavement and into the underground detention basin.

Mr. Fried stated it was noted at a previous meeting that the actual water running off the property will be decreased from what is existing, and Mr. Majewski agreed.

Ms. Friedman stated the Planning Commission had previously expressed concern about the location of the playground and the slope toward the berm. Mr. Majewski stated they are going to put up a fence around the playground area. Mr. Dumack stated they are proposing a split rail fence, but they could install whatever the Township feels is appropriate. Mr. Hussain stated the basin would have only a few feet of water in it at times.

Mr. John Matthews, 10 Williams Lane, stated he feels this project will be a good improvement. He stated they have been excellent neighbors. He stated there has never been a water problem on the property or on Big Oak Road in front of it.

Mr. Scott Hoffstader, 4 Williams Lane, asked about construction vehicles. Mr. Dumack stated there are erosion and sediment controls which are required. He also reviewed the requirements of the construction entrance. He showed on the Plan the areas of the site which will be disturbed.

The 7/26 Remington & Vernick review letter was noted. Mr. Hecker reviewed the Waivers which are being requested as noted in this letter.

Item #2 was noted regarding parking, and Mr. Hecker stated they have provided a breakdown of the activities to justify the parking counts for the property. Mr. Hussain stated they have Friday prayers, and they could split this into two sessions if necessary.

He stated everything is now being done in one hall, and their plan is to have separate rooms for different functions with this expansion. He stated they will have a separate dining room, separate nursery, separate classrooms, and separate halls for men and women.

Item #3 was noted relating to the parking stall size required, and Mr. Hecker stated they are proposing to have 9' by 18' stalls to promote low-impact development. He stated with regard to the existing parking, they are asking to be able to maintain the stall size which in some instances is slightly smaller than 9' by 18'.

Mr. Hecker stated they will comply with Items #4 and #5. He stated Item #6 relates to impact fees which will be determined by the Board of Supervisors. They will comply with Items #7, #8, and #9.

Mr. Bush stated with regard to the fence he does not feel a split rail fence is sufficient. Mr. Majewski stated a split rail fence would be sufficient if they were to add a wire mesh backing, and this was acceptable to the Planning Commission and the Applicant.

Mr. Donaghy asked how they propose to protect the woodland area, and Mr. Dumack stated they are proposing a Woodlands Easement. Mr. Donaghy stated it is not clear as to who would be enforcing the Easement. Mr. Hecker agreed to work with the Township solicitor on language to address this.

Mr. Dickson moved, Ms. Friedman seconded and it was unanimously carried to recommend to the Board of Supervisors approval of the Preliminary/Final Plan last revised 6/23/10 subject to revisions and agreements cited by the Applicant in the following correspondence from Dumack Engineering: the 6/23/10 response to the Township engineer's letter of 4/6/10, the 6/23/10 correspondence responding to the Gilmore letter of 4/2/10, and the 6/23/10 letter responding to the Township engineer's stormwater review comment letter. Also subject to compliance with the letter of 8/13/10 from TPD and compliance with the Remington & Vernick letter dated 7/26/10. The Planning Commission requests that the Board of Supervisors approve the Waiver requests as noted in the 7/26/10 letter from Remington & Vernick. The Applicant agrees to provide wire mesh on the fence and to language for the Declaration of the Conservation Easement subject to review by the Township solicitor.

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

Respectfully Submitted,

Dean Dickson, Secretary