

TOWNSHIP OF LOWER MAKEFIELD
PLANNING COMMISSION
MINUTES – DECEMBER 12, 2011

The regular meeting of the Planning Commission of the Township of Lower Makefield was held in the Municipal Building on December 12, 2011. Chairman Fried called the meeting to order at 7:35 p.m.

Those present:

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

Others: Nancy Frick, Director Zoning, Inspection & Planning
 David Truelove, Township Solicitor
 James Majewski, Township Engineer

Absent: Ron Smith, Supervisor Liaison

APPROVAL OF MINUTES

Mr. Dickson moved and Ms. Friedman seconded to approve the Minutes of September 12, 2011 as written. Motion carried with Mr. Fried abstained.

Mr. Pazdera moved and Mr. Bush seconded to approve the Minutes of September 26, 2011 as written. Motion carried with Mr. Dickson abstained.

Mr. Dickson moved and Mr. Pazdera seconded to approve the Minutes of November 14, 2011 as written. Motion carried with Ms. Friedman abstained.

#590 – ARIA HEALTH PRELIMINARY LAND DEVELOPMENT DISCUSSION

Ms. Frick stated they have received an Extension letter from the Applicant to 3/30/12. Mr. Fried stated no action is necessary this evening for the Planning Commission as the time has been extended, but they would still like to make an Application to the Planning Commission.

Mr. John VanLuvanee, attorney, was present with Mr. Eric Britz, engineer. Mr. VanLuvanee stated he spoke to Ms. Frick last week and indicated they would like to briefly highlight for the Planning Commission some of the changes that have been made to the Plan in response to the first round of review letters. Mr. VanLuvanee stated Mr. Majewski provided them this evening a draft of the review letter and he indicated he may want to provide comments this evening as well.

Mr. VanLuvanee stated one of the comments had been about the location of the Emergency Department entrance, and there was a criticism about how the internal traffic flow would work, and there was a comment about reducing the parking in that area so as not to create conflicts in that area. Mr. Britz showed a copy of the old Plan and a copy of the new Plan showing the changes and where parking has been removed. Mr. VanLuvanee noted an area where they added a drive aisle, and he showed how people would have had to drive previously under the old Plan and how they will go now.

Mr. VanLuvanee stated Mr. Majewski had made a comment indicating that there is a requirement for a 10' wide "landscape area" along the external property lines, although there are no standards for this in the Ordinance as to what there is to be there. Mr. VanLuvanee stated in the original Plan they had put grass, and on the Revised Plan Mr. Britz had showed some landscaping, and Mr. Majewski indicated that they should put in more landscaping. Mr. VanLuvanee stated their question is in the absence of standards, how would the Planning Commission like this issue to be addressed, although he is not guaranteeing they will agree with this. He noted they are not adjacent to Residential uses so they are not sure what the function of the landscaping would be.

Mr. Fried asked if the EAC has provided any comments, and Ms. Frick stated they have not provided any new comments, although Mr. Dresser is present in the audience this evening. Mr. Dresser asked what is the deadline for the EAC to submit comments, and Mr. Fried stated they will address this.

Mr. VanLuvanee stated from their observation, the Ordinance also does not specify the location of parking lot trees. He stated they have added some parking lot trees on the Revised Plan that were not there previously, but he feels more significantly, they have added a number of bio-retention basins in the parking lot aisles, and Mr. Britz showed where these are located on the Plan. Mr. Britz stated in doing so they added some trees in those bio-retention areas which added more trees within the internal portion of the lot. He stated they also added quite a few more landscaped islands as well where they are placing their light standards; however, in doing so they felt it would be a conflict to put a tree in an island where there is a light. He stated they did not put trees in those locations. Mr. VanLuvanee stated the bio-retention islands are also larger islands than were shown on the previous Plan, and Mr. Britz agreed.

Mr. VanLuvanee stated one of the prior review letters had indicated that under the Ordinance, the lights in the parking lot are supposed to be on islands; and on the new Plan all the parking lot lights are on islands which is one of the reasons they added more islands, and this gave more locations for bio-retention areas. He stated this is a major change from a stormwater management standpoint.

Mr. VanLuvanee stated another change was the effort to get sheet flow off the parking lot, and Mr. Britz stated they put in depressed curb going from asphalt to grass along the back of the parking lot at an area he showed on the Plan so the entire parking lot will sheet flow into the basin. He also showed areas where they removed curb as well as throughout all the bio-retention areas so water can flow over into the bio-retention areas and be treated within those areas.

Mr. VanLuvanee noted shaded areas on the right of the plan and stated these are underground stormwater storage areas. He noted these were on the other Plan, but they have highlighted them on this Plan so it is clearer.

Mr. Britz stated by adding the bio-retention areas, they have been able to decrease the size of the basins fairly significantly. He stated they also made the bio-retention areas wide to meet the loading ratios, but the pipes are smaller than and not as deep as they were previously. He stated the prior Plan met the intent of the Ordinance in that they did clean the water before it went into the basins, but they have now added a lot more features to further clean the water before the stormwater reaches the basins.

Mr. VanLuvanee stated there was a request made to provide a sidewalk along the By-Pass, and they have extended the sidewalk that was on the Stony Hill Road frontage and have taken it all the way down to the property line.

Mr. VanLuvanee stated there had been a discussion about reducing parking stall size from 10' by 20' to 9' by 18' to decrease impervious surface, and they submitted with this Application a separate Exhibit showing the areas where parking stall size was reduced. Mr. Britz showed on this Plan where this occurs. He stated they wanted to keep some 10' by 20' spaces on the site, and he showed on the Plan where these are located. He stated this parking would not be for employees. He also showed areas where spaces were reduced to 9' by 20', and he stated this would keep the basic geometry the same. He stated they were able to increase some of the islands to provide for additional green space. Mr. VanLuvanee asked the effect of the changes with respect to impervious surface; and while Mr. Britz stated he did not recall this, they could calculate this and provide it to the Planning Commission before they come back.

Mr. Majewski noted the 277 space parking area at the top of the Plan and stated if they had reduced these to 9' by 18' as opposed to 9' by 20', they could shorten the parking lot by 32'. He stated if they also did this for the 326 space parking area at the rear of the building on the right of the Plan, this would eliminate another 20' across the entire length of the parking area. He stated these changes would significantly reduce the amount of impervious surfaces. Mr. VanLuvanee stated Mr. Majewski has included this as his Comment #3, and they will look into this.

There was discussion on an area where they could put a reserve parking area, and Mr. Britz stated this would reduce the parking below the standards. Mr. VanLuvanee asked Mr. Majewski his thoughts on reserve parking; and Mr. Majewski stated he feels it is a good idea if there are areas where they anticipate they will not really need parking based on usages for hospitals. This was also acceptable to the Planning Commission. Mr. VanLuvanee stated they do not want to create parking problems by not having enough parking. He stated they will discuss this with the traffic consultants and the client. Mr. Majewski stated he does like the area they are considering for reserved parking since it seems like it would be a less-used area for parking.

Mr. VanLuvanee stated most of the other issues are technical issues. He asked Mr. Majewski if he feels there are other issues they should discuss this evening, and Mr. Majewski stated one other issues he has is access to the building from the handicapped-accessible spaces. He stated at the front entrance there are two crosswalks shown, but for all of the other areas, a lot of people will have to go out into the driveway aisle to get to the sidewalk that leads to the building; and he feels either a sidewalk adjacent to those handicap spots and/or crosswalks would be useful. He also stated that at the parking area in the rear of the building where they have the Emergency Room access, they have the same issue. Mr. VanLuvanee stated they will look into this.

Mr. Majewski asked about a sidewalk out to Holy Family College, and Mr. VanLuvanee stated they do not have an easement. Mr. Majewski asked if they have had any discussions with them about this; and Mr. VanLuvanee stated they have had discussions with them in the past, and they will get an answer to this question prior to the next meeting.

Mr. VanLuvanee stated with regard to the Fire Marshall's review, they will meet with him; and when they come back to the Planning Commission they hope to be able to indicate that they have reached a solution to his concerns.

Mr. VanLuvanee asked Mr. Majewski if this draft is his final review letter, and Mr. Majewski stated there might be one or two more comments; and his draft will be finalized tomorrow. Mr. VanLuvanee stated he assumes within the next few days they should have the rest of the review letters, and Ms. Frick agreed.

Mr. VanLuvanee stated they anticipate that they will be back before the Planning Commission at their second meeting in January on January 23, 2012. He stated he does not feel they will be able to ask for a recommendation from the Planning Commission until they resolve the issues before the Zoning Hearing Board, but they would like to keep the dialogue going so that when that matter is resolved, they will have a Plan they feel will be acceptable to the Planning Commission.

Mr. Fried stated they have been provided an Extension to March 30, 2012; and he assumes that means they do not have to make a recommendation until March 30, and Mr. VanLuvanee stated the Township has to take action by March 30 unless he provides a further Extension. Ms. Frick stated they would have to put this on the Planning Commission Agenda the beginning of March so that the Board of Supervisors would have time to consider it at their second meeting in March. Mr. Fried asked the status of the Zoning Hearing Board issue, and Mr. Truelove stated the next Hearing is scheduled for January 17, but he does not feel that will be the last Hearing.

Mr. VanLuvanee stated he is going with a 90-day Extension, and they will monitor the situation. He stated when they have the review comments back they will work with the Planning Commission on those so that they will have a plan that is as clean as possible for the Planning Commission. Mr. Fried stated he hopes that they will be agreeable to coming back before the Planning Commission several times if necessary given the number of items, and Mr. VanLuvanee agreed and stated this is why they wanted to come in this evening so that they could continue the process. Mr. Fried stated he assumes that if the Planning Commission members have any specific questions in a particular area they would like the Applicant to address, they should contact Ms. Frick; and Mr. VanLuvanee agreed adding that he and Ms. Frick communicate regularly.

Mr. Fried asked if any representatives from the Hospital will be present at any time, and Mr. VanLuvanee noted an individual present this evening that is able to speak on behalf of the Hospital.

Mr. Bush asked if Aria plans to supplement the Traffic Impact Study, and Mr. VanLuvanee stated the one they submitted with this submission is an amended Study. Mr. Bush stated it is dated March, 2010; and he asked when the amendment was dated because when Aria was previously before the Planning Commission, they stated they did not intend to amend or supplement the Traffic Study. Mr. VanLuvanee stated the Traffic Study that was included with the first Preliminary Plan and was an update of the original Traffic Study. Mr. VanLuvanee stated there has not been a further revision.

Mr. Bush asked if Aria now expects to update that Plan, and Mr. VanLuvanee stated the Applicant has still not received any traffic reviews from the time the Applicant filed the Plan in the spring. He stated he does not feel they will be revising anything until they see a review from the Township traffic engineer. He stated it is unusual not to see a review letter in six months.

Mr. Truelove stated the timeframe for submitting this from the last time the Plans were submitted is this coming Wednesday, so he expects they will see a traffic review letter by then. Mr. VanLuvanee stated they are still waiting for a traffic review letter for the Applicant's submission in the spring. He stated they expect that when they receive this, the Applicant will have their traffic engineer present to address the traffic comments. He stated they did not bring him in this evening since there were no review comments issued by the Township traffic engineer.

Ms. Friedman stated with regard to suggestions as to landscaping, she feels for the periphery of the parking lot, it should not look like an obvious parking lot area; and landscaping should be diverse and multi-level to create interest and distraction from the amount of visual impervious surface. Mr. VanLuvanee stated there was a previous discussion about landscaping, and the Township had indicated that the 10' landscape strip was to be around the edge. Mr. VanLuvanee stated the Applicant had felt it made more sense to put it tighter up against the parking lot which would provide a screening effect which it will not do if the plants are installed along the perimeter. He stated they would prefer to put trees along the parking lot to provide screening as opposed to the perimeter of the site.

Mr. Britz stated they initially came in with a Plan showing what the Township Code indicated was required; and at the next revision they added additional trees not only within the parking area, but around the periphery of the lot itself. Mr. VanLuvanee stated if the sense of the Planning Commission is that the landscaping along the edge of the property gets lost, which is what he feels, they would agree to take those trees and move them in and do a better job of buffering the parking lot than the Ordinance actually requires. Mr. VanLuvanee stated this is why they brought this up for discussion. He stated there is no planting requirement for the 10' strip, and it just indicates there should be a landscape buffer and it gives no direction. He stated they would like to know what the Planning Commission would like to see. Mr. Britz stated with the rain gardens you do get a multi-level feel they are looking for since there will be wildflowers, grasses, shrubs, etc. to supplement the trees. Ms. Friedman stated she is in favor of whatever they can do to hide the parking lot. Mr. Britz stated these are Preliminary Plans and they are showing what they need to meet the Ordinance requirements, and they have not yet shown the foundation plantings. He stated there will be shrubs added to the Plans but they do not yet have that detail.

Ms. Friedman noted the Bucks County Planning Commission letter where they asked about Campus Drive. Ms. Friedman stated she previously asked Mr. VanLuvanee about Campus Drive being an access point since she was concerned with one of the main entrances being off of Route 332 and then coming down Lindenhurst which will be a safety concern. She stated Bucks County Planning Commission agrees with her as well. Mr. VanLuvanee stated they advised the Township that the Applicant had no objection to using Campus Drive, but they were not able to reach an agreement from the property owner to provide access. Mr. VanLuvanee stated Mr. Stuardi, the representative for the Hospital who was present this evening, has been involved in these discussions. Mr. Stuardi stated Holy Family owns the property, and they have met with them and to date there is no agreement. Mr. VanLuvanee stated if the Township can be of any assistance in this regard, they would be happy to discuss this. He stated the Applicant agrees with the Township that this makes sense. Mr. VanLuvanee stated while they would like to have the access, the Applicant does not have the power of condemnation.

Ms. Friedman asked if there was a way for the Applicant to have an access point on their own property that would look like a Campus Drive access point as opposed to having the one “sliding” off of 332 so that Lindenhurst can access it better. Mr. Truelove stated PennDOT may have some comments about an entrance at that location. Ms. Friedman stated she does not feel they should approve this just because they cannot have access to Campus Drive; and she feels they need to work something out. Mr. VanLuvanee stated he feels the Township should be able to help them in this regard. He stated they are also dealing with a different Township. He stated he feels they all agree from a planning standpoint that this is the proper way to do it given the fact that it is already signalized.

Mr. Pazdera asked if there is a review letter from the Bucks County Conservation District, and Mr. Britz stated the Plan was submitted with the original Preliminary submission. He stated they did not receive comments back, and Bucks County Conservation District wanted the Applicant to submit a “full-blown” NPDES Application with it before they would review it; and since this was not required, it was not submitted. Mr. Britz stated the Applicant’s intent is to go back during Final Plan, and when the Plan is further along, they will submit to the Conservation District.

Ms. Frick stated she did submit them both to Bucks County Planning and Bucks County Conservation District and received calls from both of them because no Application or fee was submitted. She stated they do want to review them and are holding them there. She stated she has received at least three phone calls from both entities, and they would both like to review it, if in fact it is a formal submission. Ms. Frick stated she called Mr. VanLuvanee to confirm that it was a formal submission.

Mr. VanLuvanee stated he has been doing this for almost forty years, and has never filed re-submissions to the Conservation District or the Planning Commission while still going through Preliminary Plan. He stated one of the reasons for this is because the Conservation District wants an NPDES Permit Application, and this makes no sense until they get further review comments from the Township EAC and they work out how they will do the stormwater. He stated they need to work through this at the Township before they file an NPDES Permit. He stated the requirement under the MPC is that the Plan be reviewed. He stated Bucks County Planning Commission does not care if they review a Final Plan, and they will sign a Plan that goes through Planning if they have reviewed it one time. He stated he does not object to sending it back, but he wants to do more work at the Township before he asks them to review it. He stated it also makes no sense to go back to the Conservation District until they have further comments from the Township.

Ms. Frick stated she has never had a Plan that did not get re-submitted to Bucks County Planning Commission and the Conservation District particularly one of this magnitude. Mr. VanLuvanee stated at some point they will submit it once they have gone through more issues with the Township adding they have not yet even received the first traffic review. He stated he almost always sends in the Final Plan for another set of review comments as he feels this is appropriate, but they are not yet that far along.

Mr. Pazdera asked the grade difference between Township Line/Stony Hill and the parking lot. Mr. Britz showed a location on the Plan and stated it drops a few feet in, but it is not a large difference. Mr. Pazdera stated when they look at how to screen the parking lot with the landscaping, they should keep the elevation difference between the road and the parking lot in mind so that it makes sense where the landscaping is located so that it is effective. Mr. Britz showed on the plan an area which will have a meadow grass field.

Mr. Pazdera noted the location of the central utility plant which will be prominent on Route 332. He asked how this will be screened since there will be stacks and guide wires. Mr. Britz stated it should be a clean building, and he envisions that all the utilities will be underground and there should not be guide wires. Mr. Pazdera stated he has designed a similar plant, and there were a lot of stacks with guide wires. Mr. Britz stated there will be stacks. Mr. Pazdera stated the one he did recently at Princeton had at least a dozen stacks which were twenty feet high. Mr. Britz agreed to look into this.

Mr. Majewski stated the site does have an excess of topsoil and fill, and he recommended that they use this to incorporate into berms to soften the effect.

Ms. Friedman asked about the helicopter pad and asked if they could provide information on how many visits they expect and the noise effect as to vibrations. Mr. VanLuvanee agreed to provide this.

Mr. Fried asked if the Planning Commission had any requests for further information to be provided at the next meeting, and Mr. Dickson asked for the Traffic Study.

Mr. VanLuvanee stated as soon as they get the comments from the Township's traffic engineer, they should be able to respond to those comments when they next come before the Planning Commission.

Mr. Fried stated the Planning Commission is not making any decisions this evening and there will be another meeting on this matter with more information provided.

Mr. Fried noted Mr. Dresser is present from the EAC, and he asked if they have provided their comments yet. Mr. Dresser stated he wanted to know when they should have them submitted by, and Ms. Frick stated the transmittal indicated they should be submitted by December 15. Mr. Dresser asked if this is a "hard and fast" deadline, and Ms. Frick stated they should submit their comments as soon as possible. Mr. Fried stated if the Applicant plans to come back by the end of January, the EAC should give them a reasonable amount of time to review the comments. He asked that the EAC provide complete comments as soon as possible.

Ms. Linda Finkel, representative from Villas at Shady Brook, stated they heard this evening that there would be a certain number of parking spaces that were required that would be eliminated. Mr. Majewski stated they are not being eliminated, but the Township has suggested that they look at their actual parking needs; and rather than using the formula in the Ordinance, they should look at what the needs really are; and if fewer spaces are needed, they could reserve some spaces and not build them initially. If it is later determined that they should have built them, they would still have it designed, and they could then build them.

Ms. Finkel asked about the spaces they were removing to make it easier to access the Emergency Room, and Mr. VanLuvanee stated the proposal is that they would be eliminated, but they still have the number of spaces required by the Ordinance.

Ms. Finkel noted the retention basins at the back of the property. She stated when 777 was built, they had no idea that the 777 retention basin would impact the retention basin at the Villas at Shady Brook. She asked if this will be an issue with the Hospital's retention basin, and Mr. Fried stated the stormwater management issues are being reviewed by the EAC. He stated he understands that Ms. Finkel is asking that they look into the effect the stormwater management for the Hospital will have on their development.

Mr. Fried stated with regard to the parking, they have a balance between coverage issues which also relates to stormwater management since the more impervious surface there is, the more difficult it is for water to be absorbed. He stated they are trying to balance the needs of the hospital and the water issues.

Mr. Zachary Rubin, 1661 Covington Road, stated he would also like to express concern with access to Campus Drive. He stated at a previous meeting, the owner of the land where the Third Federal Bank occupies came to a meeting and indicated that he has property where a road could be put through, and he asked that Mr. VanLuvanee look into this. He stated this is not Holy Family property. Mr. Fried stated Ms. Friedman wanted it known that it is extremely important that the Hospital make every effort to see that some access could be made there. Mr. Rubin stated the Applicant's representative was discussing Holy Family property, and he would like to have clarification that the property at Third Federal has not been exhausted.

Mr. Ron Smolow, attorney for RAFR, stated he will reserve his comments if this is the preferred procedure the Planning Commission wants to follow. Mr. Fried stated if he has a specific concern he wants to raise, he could raise it at this time. Mr. Fried asked if he has made written comments; and Mr. Smolow stated while he has not, he would be willing to give the Planning Commission his written comments, and this was acceptable to the Planning Commission. Mr. Fried stated he feels the next time the Planning Commission will discuss this matter will be January 23. Mr. Fried asked that Mr. Smolow provide his written comments to Ms. Frick as soon as possible, and she will make sure that all parties concerned will be provided with them. Mr. VanLuvanee stated they could also review these comments prior to the meeting so that they could address them at the meeting.

Ms. Elizabeth Molson stated she is a nurse and a resident of the area. She stated she is most concerned with traffic, and she is already timing her commute because the traffic is so bad. She stated she cannot imagine how bad the traffic will be with this development. Ms. Molson stated as a nurse she is also concerned why another hospital is being built when there is not a need in this area as opposed to other areas where there are actual needs. Mr. Fried stated this is not something the Planning Commission can address. He stated the Planning Commission is very concerned about the traffic, and there will be additional discussion on the traffic.

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There being no further discussion, Mr. Dickson moved, Ms. Friedman seconded and it was unanimously carried to adjourn the meeting at 8:35 p.m.

Respectfully Submitted,

Tony Bush, Secretary