

TOWNSHIP OF LOWER MAKEFIELD
PLANNING COMMISSION
MINUTES – MAY 14, 2012

The regular meeting of the Planning Commission of the Township of Lower Makefield was held in the Municipal Building on May 14, 2012. Chairman Dickson called the meeting to order at 7:30 p.m.

Those present:

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

Others: Nancy Frick, Director Zoning, Inspection & Planning
 John Koopman, Township Solicitor
 Mark Eisold, Township Engineer
 Dobby Dobson, Supervisor Liaison

Absent: Mark Fried, Planning Commission Member

#619 – DISCUSSION AND APPROVAL OF PRELIMINARY/FINAL PLAN BRIGHT FARMS GREENHOUSE ON THE PATTERSON FARM LAND DEVELOPMENT

Mr. Sal Grasso was present and stated Bright Farms entered into an Agreement with McCaffrey Supermarkets to grow tomatoes, lettuce, and herbs for the McCaffrey Markets. He stated they entered into a Lease with the Township for a greenhouse on the Patterson Farm. He stated originally the greenhouse was to be located further east from what is now shown on the Plan; but after hearing recommendations from the EAC, nearby homeowners, and the Township, they moved it further west closer to I-95. He stated when they did this they needed an access and utility easement. He stated the easement was located based on rules and regulations of PennDOT, and they lined it up with an existing driveway across the street. He stated that easement will have a driveway which will serve the greenhouse. The utilities including gas and electric will go through that easement as well.

Mr. Grasso stated they instructed the engineer to use as many best management practices as he could for the site. He stated there are two retention ponds, one of which will help the Township with some existing stormwater issues they have had in the area. He stated the greenhouse will also incorporate some energy efficiency design factors one of which is stormwater cisterns to capture rainwater that hits the roof; and the rainwater will be used to irrigate the plants. He stated the greenhouse will be constructed using hydroponic growing systems, and water is fed to the plants, purified, and used again.

Ms. Friedman asked if the building will be considered a temporary or permanent structure, and Mr. Grasso stated he considers it to be a permanent structure. He stated it is a steel frame structure with glass and plastic. He stated there will be some concrete in the building, and the utility area will have a concrete floor. He stated the growing systems will be on earth with geo-textile fabric laid over it. Ms. Friedman asked how tall it will be, and Mr. Grasso stated at the highest point of the peak it is approximately 24'.

Ms. Friedman asked if it will be run as a business. She noted there were only a few parking spaces. She asked if anyone can come there and make purchases, and Mr. Grasso stated they will be a supplier to McCaffrey Supermarkets and other retailers not near to McCaffrey Supermarkets. Mr. Koopman stated they are wholesalers and will not sell to the public, and Mr. Grasso agreed they will not sell to the public. He stated the parking area is sized the way it is because they only anticipate five employees at any given time. He stated they do not want to pave over farmland if they do not need to.

Ms. Friedman asked if the property is within the Edgewood Village area, but Mr. Grasso did not know. He stated he feels they are out of the Village.

Ms. Friedman stated they are proposing a 12' driveway, and she asked if they could make it 11' so it would limit impervious surface. She asked if they need it to be 12' wide because of the size of the trucks bringing in materials. Mr. Grasso stated they could look into making it 11'. He stated the truck traffic they will have in and out of the property would be small box trucks. He stated half way down the driveway, there is a pull-off area in case there is two-way traffic on the driveway so 11' may work.

Ms. Friedman noted the two topsoil stockpiles. She stated she would prefer not seeing a mound of dirt from the road and asked if it could be moved. Mr. Grasso stated this would only be there during construction, and they do not want permanent piles of topsoil.

Mr. Bush stated Mr. Grasso indicated that the Lease was already signed by the Township, and Mr. Grasso agreed. Mr. Bush asked the length of time of the Lease; and Mr. Grasso stated it is for ten years, with two, three-year options to renew.

Mr. Bush stated while he is generally in favor of the project, he does have some hesitation. He stated the Township has struggled with the Patterson Farm and what to do with the existing structures for quite some time. He stated he sat on the Patterson Farm Stakeholders Committee; and they unanimously agreed that the Farm, as much as possible, should be used for farming. He stated he does not feel they considered hydroponic farming; although they did recognize that traditional farming is dying in eastern Pennsylvania, and there may not be many farmers left in the future. He stated he does feel this is farming so it is very positive. He feels the location is good because it is in an area which people may not even consider as part of the Patterson Farm.

Mr. Bush stated he is concerned about the building and added there are a lot of buildings already on the Farm, many of which have not been used since the Township owned them; and there is not a plan for them to be used, and they are a drain on the Township. He asked in the event the business was not to succeed, does the Lease address who is responsible for the building going forward; and Mr. Grasso stated it does. Mr. Grasso stated the Lease requires that they provide a \$25,000 deposit, and they are required to remove the structure. Mr. Dickson asked if this would include the foundation, and Mr. Grasso stated they would have to remove everything. Mr. Koopman stated there is financial security that is required under the Lease Agreement to insure that there is money available to do that if for some reason they walk away or even at the end of the Lease term. Mr. Koopman stated the security would be held by the Township through the Lease term and termination of the Lease so that there is financial security to insure that everything is removed.

Mr. Koopman stated while the Lease has been signed, it is contingent upon obtaining all the necessary Approvals from the Township in order for them to be able to construct.

Mr. Grasso stated while he previously indicated that he considered this to be a permanent structure, the structure can be taken down and re-assembled elsewhere.

Mr. Pazdera noted the Boucher & James review letter dated May 10, 2012. Mr. Grasso stated they will either comply with the items listed or request a Waiver. He stated they will comply with Item #1.

Under Subdivision and Land Development Comments, Item #2 was noted with regard to Section 178-85.H.(4) and the engineer has calculated that thirty-nine replacement trees are required; and he stated they are requesting a partial Waiver from this requirement since the greenhouse requires sunlight to function properly, and they do not want to plant trees around the greenhouse. Mr. Eisold stated they have indicated that they are willing to provide trees to the Township although they may not be the full inch requirement. He stated the Township could then use these trees at some other location.

Mr. Grasso stated they will comply with Item #3.

With regard to Item #4, Section 178-93.D.(12)(g), Mr. Grasso stated they are requesting a Waiver since the basins have small drainage areas and the maximum of the 100 year water depth is less than 2 feet.

With regard to Item #5, Section 178-93.D.(12)(j)(1), Mr. Grasso stated a Waiver is requested from this Section of the Ordinance for the same reason as noted in Item #4.

With regard to Item #6, Section 178-93.F.(3)(c), Mr. Grasso stated a Waiver is requested from this Section of the Ordinance since the 15” pipe does not present any maintenance issues and is adequate to handle the projected flows of the basin.

With regard to Item #7, Section 178-95.C. (10), Mr. Grasso stated this requirement is primarily applicable to housing developments; and since additional earthwork would be required to meet the requirement, they are requesting a Waiver.

Mr. Grasso stated they will comply with Items #8 through #15.

Mr. Koopman stated with regard to Item #15, the Easement Agreement has been drafted although it has not yet been executed. He stated there is an agreement between the adjoining property owner and the Township. Mr. Koopman stated the Easement will go to the Township, and it will solely provide for access and utilities for the greenhouse use. He stated if the greenhouse use ever ceases, effectively the Easement will not be used for any other purpose without going back to the property owner and renegotiating it in connection with a future use for the easement if there is any. He stated the way the Easement reads now, it is solely for the use of the greenhouse for access and utilities.

Mr. Pazdera asked Mr. Grasso what the cisterns look like, and Mr. Grasso stated they are above-ground plastic tanks that go next to the greenhouse. They are between 15’ and 18’ high. Mr. Eisold provided a picture of the tanks to show the Planning Commission. Mr. Grasso stated they have shown on the Plan tanks all around the greenhouse; however, they will all be located by the “head house” area which is the mechanical room and is shown as a bump-out on the north side of the greenhouse. Mr. Grasso stated they will amend the drawings. Mr. Eisold stated this is fine provided they can still collect the appropriate amount of water. He asked how many are proposed, and Mr. Grasso stated he would like to put in three. Mr. Eisold stated the engineer should check the calculations to make sure that they can use three since they showed on the Plan that they would have four.

Ms. Roseanne Friehs, Historic Commission, stated although Bright Farms sounds like a wonderful idea and it would be nice to have local produce, they feel it would be better on a property that is not open space. She stated this is open space for the Township that they pay taxes on. She stated it could go on other property either a private farm, a parking lot, or someplace other than farmland. She stated they sent a recommendation about this to the Planning Commission. She stated the Historical Commission opposes the development because this is a commercial/agricultural use rather than a strictly agricultural use, and this opens the Farm to further commercial development such as mulch farms, commercial tree or sod production, and other mechanized agricultural rather than traditional agricultural cultivations which the Pattersons wished to preserve.

Ms. Helen Heinz, Historic Commission, stated she also served on the Stakeholders Commission, and they recognized that there may not be farming in the next thirty years in Lower Bucks County; but the overwhelming majority of the people on that Committee wanted to see a Master Plan for the Patterson Farm, and to date that has not happened. She stated she feels they are opening this up to a steady parceling out of pieces of the Farm for long-term Lease which is a serious problem.

Mr. Dave Miller, 1648 Yardley-Langhorne Road, stated his property abuts the Patterson Farm on the opposite end from where this use is proposed. He noted on the Plan the locations of the two basins proposed. He asked if the acreage to be leased will include both basins. Mr. Grasso stated the larger basin is not part of the Lease, and it will be owned by the Township although both the developer and the Township will be constructing it. He stated while the developer will pay for most of the construction of the basin, the Township will maintain it.

Mr. Miller asked the size of the basin that is on the property to be leased by the Applicant, and Mr. Eisold stated it is approximately one half acre. Mr. Miller stated it seems that over five acres of farmland will be taken out of farming for this use and not what the public has been hearing all along that it will be two to three acres.

Mr. Miller stated he is surprised to hear that the Township will be partially responsible for the construction of the larger basin because for years he has been asking the Township to take care of the water draining off from the Farm onto his area. He stated he did show the Board of Supervisors how the water drains off from the Farm and goes onto his property and then out to Yardley-Langhorne Road and floods the intersection. He stated he is surprised to find that the Township is approving this basin on the other end.

Mr. Miller stated the building they are proposing to build will be twice as big as the Township Building.

Mr. Miller stated he heard Mr. Grasso indicate that the spillway for the small basin will be changed in direction, and Mr. Eisold agreed and stated the outflow pipe will be redirected. Mr. Miller stated the larger basin shows the outflow toward the Patterson Farm woods, and Mr. Eisold agreed. Mr. Miller stated Edgewood Crossing was supposed to have their surface water runoff self-contained on the property, but then they put in two spillways in the back of the property where the nursery school property joins the Edgewood Crossing property. Mr. Miller stated he went there during a rain, and the water was coming out of the spillway and running into the woods directly behind the nursery school; and that part of the Farm is approximately three feet lower than the part of the Farm where the greenhouse is proposed. Mr. Miller stated that water stays in the woods, and the same thing is going to happen in this case with the spillway from the greenhouse property. He stated it will go down the same 2' to 3' drop and will be

flooding the woods. He stated if you look at the woods, you can see the destruction that has happened over the past ten to fifteen years, and this water flowing in there is a negative thing.

Mr. Miller stated the yet to be built Flowers Field property was also to be self-contained, and he believes that there is a Township Ordinance that it has to be self-contained; yet at the last minute Flowers Field got the ability to put their overflow water into a pipe to the Giant Market, to the Township basin, and into the stream on Mr. Miller's property. He stated it is obvious that the Township's stormwater management document is not being followed.

Mr. Miller stated in the first Plan submitted for the greenhouse which put it close to his property, there were no basins proposed; and now they have shown two basins. Mr. Miller asked why this happened. Mr. Grasso stated the first drawing was just a Concept Plan and did not show how stormwater runoff would be handled. Mr. Miller asked if they had these Plans at the last Board of Supervisors meeting, and Mr. Grasso stated they did not. Mr. Miller stated the Board then gave them approval without any drawings showing stormwater management. Mr. Grasso stated while they did, it was contingent on getting the necessary approvals. Mr. Koopman stated the Lease Approval was conditioned on obtaining Land Development and all other approvals necessary to construct the facility.

Mr. Koopman stated with regard to the issue related to the larger detention basin, the Lease contains a provision in this regard where it is referred to as a regional detention basin; and one of the reasons for its installation is to help resolve certain stormwater problems that have occurred in the area previously. Mr. Koopman noted Paragraph #5 of the Lease as follows:

“The Township acknowledges that certain storm drainage issues occur from time to time in the vicinity of the Lease premises. To that end, and as noted on Exhibit A, its location for a regional detention basin to serve the interest of the tenant to the extent that the basin will alleviate in part certain stormwater problems occurring within that portion of the Township. The Parties agree that the Township shall design the detention basin at its sole cost and expense and shall do the rough grading, but the finished grading and final completion of the detention basin shall be at the sole cost and expense of the tenant. The basin shall be constructed at the same time as the greenhouse facilities are constructed by the tenant such that no Occupancy Permit will be issued to the tenant for the use of the greenhouse facilities until such time as the detention basin is completed according to the Plans for same and is functioning in accordance with its

design. If the delays in completing the detention basin are due to delays to the Township's portion of the work, the tenant will be entitled to abatement of the rent; the Township however shall not be obligated to make any payments for increased costs due to delays ...”

Mr. Koopman stated the way he understands the provision and the reason for it is because there are existing stormwater runoff problems in that area from the Patterson Farm; and when the development of the greenhouse and the Lease was discussed, the idea for this basin was created to help alleviate those problems with the Township sharing in that and it becoming what is referred to as a “regional detention basin.” Mr. Koopman noted Mr. Garton negotiated and drafted the Lease, and he did have a brief discussion with him about it.

Mr. Eisold stated with regard to stormwater management, there are a number of things they are doing. He stated the cisterns are taking a lot of that water off of the roof before it gets anywhere, and they are utilizing a lot of that water in their growing system. He stated they also have the small basin next to their building as well as the trench next to the driveway which is collecting water and putting it into the wildflower areas trying to get most of the water into the ground. He stated the other lower basin is a regional basin serving not just this development but the general area to the benefit of both the Township and the property and people downstream as well. Mr. Eisold stated with all of this in place, the water runoff will be less than it is currently overall.

Mr. Miller stated Mr. Eisold has indicated that this will benefit the downstream properties; however, there is no problem with the downstream properties. He stated the nursery school property has no water. Mr. Eisold stated Mr. Miller indicated that the woods were flooded, and that is the downstream property. Mr. Miller stated the problem is in the area behind the nursery school and not along the side which is Stony Hill Road. Mr. Eisold stated the run off into the woods will be less after this development. Mr. Miller stated it was proposed that Edgewood Crossing was not going to have any runoff but yet they are dumping water into the woods every time it rains.

Mr. Miller asked if this will be a retention basin or a detention basin, and Mr. Eisold stated it is a detention basin with a dry, flat meadow bottom in the basin. He stated it will still outflow at a lower rate over time.

Mr. Miller stated he had asked who would be paying for the large basin, and the answer was that Bright Farms was paying for it, but when Mr. Koopman read the provision of the Lease, he indicated that the Township was going to pay for the design and the rough grading which he feels means they will make the basin and Bright Farms will pay for seeding or finishing off which to him means “throwing grass seed around.” Mr. Koopman stated it is more than that. He stated there is a cost sharing that is set forth in the Lease. He stated the Township will do the design and rough grading,

and finish grading and completion of the basin which he assumes means the outfall structure, etc. are the tenant's obligation so he does not feel that this is just a minimal cost. He feels the bulk of the cost will be on the tenant based on what he has read although he stated he is not the engineer. Mr. Eisold stated he feels the cost sharing will be fairly close. He stated he feels the Bright Farms engineer did design the basin at this point, but the Township will have to approve it. He stated there is a cost to the amenities and finalizing the basin and all the costs are not on the Township with the costs close to half and half. Mr. Miller asked why the Township is paying for any of this, and Mr. Koopman stated he assumes it is because the Township recognizes as noted in the first sentence of the paragraph in the Lease that he read, that there is an existing issue with stormwater from time to time there now. He stated Townships often participate in the design and construction of regional detention basins. Mr. Koopman stated he understands that Mr. Miller has indicated that there is another portion of the Farm which floods his property; but Mr. Koopman stated at this time, they are trying to address flooding concerns in this portion of the Farm to try to resolve that, and he could not comment on what might happen to Mr. Miller's issue in the future.

Mr. Miller stated his question was why they were now addressing this on the Plan when it was not included in the original Plan; and Mr. Koopman stated Mr. Grasso indicated that was only a Sketch Plan and did not show stormwater management. He stated wherever the greenhouse is going to be built in order to comply with the Subdivision and Land Development Ordinance regulations and State law, there would have to be stormwater management.

Mr. Miller asked if this were a private venture on a private piece of land and water was running off onto neighboring property, would the Township get involved in paying for designing the basin. Mr. Koopman stated he would assume not; however, the Township owns the Patterson Farm so he assumes they feel that they have some responsibility to help alleviate an existing problem from the Farm property. Mr. Miller stated he does not see it that way, and he does not understand why the Township should put a penny into this.

Mr. Miller stated it was indicated that all the utilities will go up the easement out to Stony Hill Road, and Mr. Koopman stated this is his understanding. Mr. Miller asked if the sewer line will go up that easement, and it was noted that the sewer is at the end of the driveway. Mr. Miller asked about water, and Mr. Grasso stated there will be an on-site well. Mr. Miller stated the sewer line is a line to "nowhere" since it is not connected. He asked if they are going to approve this tonight without having the ability to tie into a sewer line. Mr. Koopman stated a sewer line was just installed in Edgewood Village. Mr. Miller stated Mr. Koopman should know that it is not connected. He stated he has a sewer line to his home, but it is not connected. Mr. Koopman stated the Edgewood sewer is just about to be certified for completion by the sewer engineer, and there will be a Resolution proposed to be on the Supervisor's Agenda for June 6 which will provide for

the approval of the cost and the assessment of the cost on neighboring property owners. He stated he assumes any approval of the Bright Farms Plan will be conditioned on connection to a working sewer system. Mr. Dobson stated it is his understanding that there will be the ability to connect to the Edgewood Village sewer system in the next thirty to forty-five days.

Mr. Miller asked if an Occupancy Permit is required for the Bright Farms project, and Mr. Koopman stated this is correct as well as Building Permits. He stated once they get Land Development Approval, they then have to get the Building Permit and Occupancy Permits.

Mr. Miller stated he got a notice about this evening's meeting last week and a few days later he got a notice about the Board of Supervisors meeting for Bright Farms, and he asked how the Board of Supervisors can meet on Wednesday when it has not yet been before the Planning Commission. Ms. Frick stated the Planning Commission is only a recommending body. Mr. Miller stated the Planning Commission could decide to postpone their decision because of new information that has come to them, and they do not have to vote on this tonight. Mr. Koopman stated the Planning Commission could indicate that they are not prepared to make a recommendation tonight. Mr. Miller stated he would then hope that the Board of Supervisors would not act on this Wednesday night if they did not have a recommendation from the Planning Commission. He stated he feels the timing is terrible.

Mr. Alan Dresser, EAC, stated they sent out their comments on May 11. He stated it appears that they did not do the sub-surface soil investigation; and if not, he feels they should request a Waiver for this. Mr. Eisold stated they are requesting a Waiver for this. Mr. Dresser noted the Delaware River South Stormwater Management Ordinance, specifically the volume-control requirement; and he stated they do not appear to be meeting that. Mr. Eisold stated he did have a chance to talk to their design engineer, and they are addressing that with regard to the DEP requirements for volume control. Mr. Eisold stated Lower Makefield requires a certain method of calculation, and the pre-development has to be a meadow; and when you do this you get increased volume off the site for the two-year storm pre to post and the volume of water coming off the site increases. Mr. Dresser stated he feels they should set a standard; and if they are not meeting this, they should ask for a Waiver since this is such a key part of the Ordinance. Mr. Grasso stated the engineer has agreed to provide a calculation. Mr. Dresser stated the Ordinance is very clear in stating that you have to use meadow, and he feels they should request a Waiver, and Mr. Eisold agreed.

Mr. Dresser stated the second EAC comment does make a calculation using what the real conditions are at the Farm which is row crop or fallow field. Mr. Eisold stated he understands that Mr. Dresser is indicating they should do this for informational purposes, and Mr. Dresser agreed and added this would support the Waiver request and set the standard for future Applicants if they are going to try to get a Waiver.

Mr. Dresser stated it turns out that if the cisterns are totally empty, there will not be an increase in the volume runoff; but if they are full, there will be a slight increase. Mr. Eisold stated he did speak to the engineer about that, and the indication was that they were going to use the water in the cisterns, and they would be emptied. Mr. Eisold stated they have agreed to provide additional information on this system.

Mr. Dresser stated their third comment relates to the easement, and he asked if they received approval from Bucks County for the open space easement. Mr. Koopman stated the County has sent a letter saying that what is being proposed is consistent with the County Conservation Easement.

Mr. Dresser stated with regard to tree replacement, they recommend that they be held to all thirty-nine trees, and they could be planted on Mirror Lake Road at the creek which would provide a benefit to the Farm as it would provide a woodlands buffer for the creek. Mr. Dresser stated the EAC is also trying to replace ten trees which died at Roelofs field so ten of the thirty-nine could go at that location. Mr. Eisold stated this would be something for the Supervisors to consider.

Mr. Dresser stated their last comment deals with the 10' wildflower buffer to be planted downstream of the driveway. Mr. Dresser stated the cisterns will only capture about 39% of the runoff from the roof for the two-year storm so there will still be a lot of runoff coming off the greenhouse. He stated instead of a 10' buffer, they would get more infiltration if they expanded that to 50'. He stated he is not sure that the farmer will be using the land between the greenhouse and the detention basin, and Mr. Eisold stated that area could still be used. Mr. Dresser stated he feels there will be some buffer and any additional wildflower buffer they provide will help with the infiltration. Mr. Eisold stated he did have a discussion with the design engineer today regarding this; and while 50' seemed a little extreme, they did discuss possibly making the trench a little wider and going to a 25' wide wildflower mix. Mr. Dresser stated he feels they could plant the whole area between the greenhouse and the detention basin in wildflowers; however, Mr. Eisold stated he feels they want to leave the option for farming. Mr. Dresser stated this is true if they are going to farm it; but if they are just going to leave it fallow, it will be worse off.

Ms. Friedman stated there seems to be information in the Lease that would have been important for the Planning Commission to know about, and she asked why they were not given a copy of the Lease. She stated nowhere in the information they received does it indicate that there was already a Lease Agreement made. Ms. Frick stated she was not supplied with one, but she does not feel there was a reason that it was withheld from the Planning Commission. Mr. Koopman stated he feels it might have been an oversight. He stated the Lease was executed, but it was contingent upon approval of the Plans. He stated he did read to the Planning Commission this evening the portion related to the detention basin and most of the provisions of the Lease had to do with financial information. Ms. Friedman stated she feels having the Lease would have been an important piece of information for the Planning Commission.

Ms. Friedman stated Patterson Farm is open space for farming, but none of the existing farmers have built buildings on the property. She asked if there is any reason why an Agreement was reached with Bright Farms and not put out to open bid for other businesses since this is a business that is being allowed with construction related to it. She stated they were trying to rent the Satterthwaite House to a veterinarian, and they “dissected this” to try to understand what was going on because they were trying to add something to the property that was not indigenous to the property. She stated she is surprised that this never went out for open bid and this is just a choice that the Township made and are proceeding on.

Mr. Dobson stated they came before the Board of Supervisors along with Jim McCaffrey. He stated the Board did not go out and solicit bids. Ms. Friedman stated while she understands they did not do this, she feels it is a point of fairness to other businesses that might have wanted to do the same thing. Mr. Dobson stated they have been trying to sell the Satterthwaite portion and have not been able to do so, although they are going to re-bid that. He stated Bright Farms presented an opportunity to do something they felt would be good for the Township, and most of the people they have talked to are in favor of it, although there are obviously some people present this evening who are against it.

Mr. Koopman stated although he was not directly involved in the process, it was on the Township Agenda and was open to public discussion more than once. He stated the Lease was conditioned upon Land Development Approval and all other Approvals necessary for the construction of the facility including going before the Planning Commission.

Mr. Bush asked if the Lease the Township has with the individual farming Patterson Farm currently conflicts in any way with the Lease with Bright Farms; and Mr. Dobson stated it does not, and in fact, the farmer is in support of this. Mr. Bush stated there was discussion about a portion of land between the greenhouse and the second basin which could be farmed, and he feels that given the feeling in the community that they should keep it in farmland as much as possible, and whatever the Township can do to encourage

that the strip continue to be farmed would be beneficial. Mr. Dobson stated this would be up to Mr. Stewart, and he gets first choice on this. Mr. Eisold stated the grading will not change, and it could be farmed.

Mr. Dickson stated the representative from the Historic Commission expressed concern about the bid process; and Mr. Dickson asked if a bid could have been put out for a greenhouse or agricultural use. Mr. Dobson stated it would have to be a use that would be allowed on the Farm and they could not just open it up to commercial applicants. Mr. Dickson stated Ms. Friehs had discussed such things as tree farming, sod production, and other mechanical agriculture. Mr. Dickson asked if they had put this out for bid, what would they have put it out to bid for. Mr. Dickson stated he understands that the Township wants to control this by leasing it specifically for a greenhouse and not leave it open similar to what they are experiencing with the land behind the Church on Oxford Valley Road where if it were put out to bid, anyone could bid on the property.

Mr. Koopman stated while greenhouses are farming, he does not feel this was the Township's idea. He stated Mr. McCaffrey and Bright Farms approached the Township with the idea of using a portion of the Patterson Farm for farming in accordance with what is being proposed, and the Township considered this and determined, along with the existing farmer that this would be a beneficial use to the Township and bring in some revenue which hopefully can offset some of the Township's costs in maintaining the Patterson Farm which has been a concern of the Township. He stated he feels they also considered the fact that it is still being farmed, and the Township will maintain control. He stated it is not permanent unless the Township agrees to extend the Lease. He stated there are also provisions in the Lease, that if the greenhouse ceases to operate, they must return it to land that could be used for open farmland. Mr. Koopman stated the matter was discussed in public, and the Supervisors decided that they felt this would be an appropriate use of the property subject to compliance with Land Development Ordinances and obtaining Permits.

Mr. Dickson moved, Mr. Pazdera seconded and it was unanimously carried to recommend to the Board of Supervisors approval of the Preliminary/Final Plans dated 4/20/12, in so that the Township is the steward of the Patterson Farm with the intent of preserving agricultural open space, with the following recommendations:

- 1) As per Board member, Karen Friedman, that the 12' driveway be reduced to 11' throughout the entire length of the driveway;

- 2) Compliance with Boucher & James letter dated 5/10/12 with the following so noted:
 - a) The Zoning Ordinance Comment #1 is a “will comply”
 - b) The Planning Commission recommends that the Applicant be held responsible for SALDO Section 178-85.H.4. and the Applicant should be required to replace the trees at some other portion of the Township land as agreed upon by the Township engineer and the Applicant;
 - c) All other “will complies” and Waivers are recommended to be approved.
- 3) With regard to the EAC letter of 5/11/12 the Planning Commission recommends that the Waiver be approved for 1A and 2 in so that the Waiver that will be approved for 2 will then address the concern addressed in 1B. Item 6 in the EAC letter, the Planning Commission does recommend that the 10’ wide strip be increased to a 25’ wide strip of wildflower meadow mix.

The Planning Commission asked that a separate memo be sent to the Board of Supervisors as follows: The Planning Commission recommends that the remainder of the Patterson Farm remain in agricultural use with no further Leases or other commercial uses incorporating construction of other buildings excluding the Satterthwaite House which has already been subdivided.

#438/#438-P – GRACE POINT CHURCH – SEWER PLANNING MODULES

Sewer Planning Modules were signed following the meeting.

There being no further business, Mr. Dickson moved, Ms. Friedman seconded and it was unanimously carried to adjourn the meeting at 9:05 p.m.

Respectfully Submitted,

Karen Friedman, Secretary

