

TOWNSHIP OF LOWER MAKEFIELD
PLANNING COMMISSION
MINUTES – JUNE 24, 2013

The regular meeting of the Planning Commission of the Township of Lower Makefield was held in the Municipal Building on June 24, 2013. Chairman Bush called the meeting to order at 7:35 p.m.

Those present:

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

Others: Nancy Frick, Director Zoning, Inspection, & Planning
 Nathan Fox, Township Solicitor
 Kristin Tyler, Supervisor Liaison

Absent: Mark Fried, Planning Commission Member

COMPREHENSIVE MASTER PLAN UPDATE

Ms. Lynn Bush was present with Ms. Lisa Wolff from the Bucks County Planning Commission. Ms. Bush stated they are continuing the process of working through the Comprehensive Plan. She stated they are inviting members of the various Township Boards and Commissions to participate each month to discuss the Plan. She understands that the Citizens Traffic Commission will attend at some point in the future. She stated they invited this evening members from the Environmental Advisory Council, the Disabled Persons Advisory Commission, and Emergency Management. She stated this evening they would like to go over the Chapter that was submitted to the Township last week on the natural environment and natural systems. She stated they will then continue with an open discussion and brainstorming with those in the audience participating.

Ms. Wolff noted the Draft provided on the Natural Environment and Natural Systems which is basically the same as was in the previous Plan, but with some changes to language and headings where they felt necessary. She stated they kept the existing structure of this Chapter which is very complete. She stated the Township has a strong Environmental Advisory Council which has been instrumental in getting resource protection measures in place.

Ms. Wolff stated language on Regulatory Authority has been added to provide the basis for Municipal regulation of the natural resources. She stated where standards are not required by Federal and State regulations, local Governments are empowered with the ability to protect those natural resources that they deem important or valuable. She stated the State Constitution, the Pennsylvania Municipalities Planning Code, and even Judicial Decisions provide the basis for natural resource protection at the local level. Ms. Wolff stated for many of the different resources highlighted – topography, soils, wetlands, floodplains, and woodlands, information noting what the applicable Zoning Ordinance natural resource protection standards are and whether they are adequate or not has been added. She stated for the Township the natural resource protection standards not only meet minimum standards, but in many cases are more comprehensive and more complete than the recommended minimum.

Ms. Wolff stated the current Comprehensive Plan includes narrative on agriculture areas and Farmland Preservation and they decided to take that Section out of that Chapter as they felt it was more applicable to the Open Space and Conservation Planning Chapter.

Ms. Wolff stated within the discussion on Floodplain additional language has been added which references the Delaware River Flood Task Force and the recommendations they made. She stated these provisions are listed on Pages 5 and 6. She stated on Pages 6 and 7 under Floodplain there is discussion on the recent acquisition by the Township when they purchased a property that had experienced severe, repetitive flooding located on River Road; and the intent is to have a future passive recreation use. She stated there are also recommendations in the Plan that the Township pursue opportunities to acquire other floodplain properties that experience repetitive loss.

Ms. Wolff stated several paragraphs have been added to describe the Delaware River – its importance and the flooding issues – and these are on Page 7 of the draft.

Ms. Wolff stated the discussion on woodlands references the Native Plant Ordinance adopted in 1997 and is shown on Page 8.

Ms. Wolff stated the narrative on Page 9 includes provisions related to Air Quality and Greenhouse Gas Emissions, and she knows that the EAC has been very active with this. She stated through efforts of the EAC, the Township has taken steps to monitor and reduce greenhouse gas emissions through its adoption of low-impact design standards, involvement in the Cool Cities Program, and completion of the greenhouse gas inventory to calculate the Township's carbon footprint. She stated more discussion on the Township's efforts will be included in a future Chapter that they would like to add to the Plan on energy conservation.

Ms. Wolff stated language has been added to the plan referencing the Natural Areas Inventory of Bucks County which was a Plan originally prepared in 1999 for the County identifying sites worthy of preservation. She stated it was recently updated in 2011 and the Update is different in terms of how it designates important areas, and it does not designate specific sites so much as it looks at conservation areas. She stated for Lower Makefield there are two conservation areas – the Atlantic Coastal Plain and the Delaware River Conservation Landscape. She stated the Plan recommends preservation of those areas.

Mr. Bush asked if there is a red-lined version that could be provided, and Ms. Wolff stated she could provide this.

Ms. Friedman stated they discussed how the EAC was active in creating a Native Plant Ordinance, and she stated they also created a Stormwater Management Program; and she asked if that would fit in this Chapter as it changes the way the Township addresses properties with regard to water flow. Ms. Wolff stated she feels they would put this under the Stormwater Management Provisions. Ms. Friedman stated she would like it to have its own Chapter as this would give it more significance.

Ms. Friedman stated over the last decade they discussed LEED building, and she asked if they could include something on this for Commercial and Residential. Ms. Wolff stated this could go under Energy.

Mr. Jim Bray, EAC, stated he feels what has been presented is excellent. He stated he feels they need to work with the land and not against it. He stated with respect to wetlands in late 2012 the EPA changed their designation of wetlands plants, and they designated a lot more plants in the wet category. He stated he feels Nationally you are going to see more wetlands designated than was done in the past although he does not know if this has an impact on the Comprehensive Plan for the Township. He stated with respect to soils, he feels the LID Ordinance is one of the strongest Ordinances the Township has put in place over the last twenty to thirty years. He stated in Lower Makefield it is no longer possible for a developer to remove topsoil from a development, and it must stay on site. He stated another strong feature about low-impact development is its reliance on natural features and natural absorption systems. He stated if the ground does not absorb naturally, before any mechanical contrivances are used, the developer has to convince the Township engineer that natural systems cannot absorb what is required. He stated there are many other features involved in LID which is essentially a new way of looking at development. He stated it treats water as a tremendous natural asset and not a nuisance, and the rain that falls on your property needs to stay on your property. Mr. Bray stated they have just modified the LID Ordinance to include the two-year storm. He stated he has more information on LID if the Bucks County Planning Commission feels it should be included in the Plan.

Mr. Bray also noted that the Native Plant Ordinance was put into effect in 2007 and not 1997, and it was agreed to make this correction.

Mr. Bray stated with respect to air quality emissions, the 2009 Green Building Code applies to Township facilities as well as significant rehabs. He stated their plan in the future is to also prepare an Ordinance that will apply to Commercial as well. He stated after the Lower Makefield Ordinance was passed Floral Vale was built, and they are LEED Certified even though they did not have to be. He feels the companies see that even if there is a slight increase in building costs for LEED Certification, the savings in the future are astronomical. He stated he feels the 2009 Green Building Code will have a significant impact on water and air quality because of the LEED Certification and the fact that you must use state-of-the art heating and air conditioning equipment, and they also get points in the Certification process for using rain water and reusing water.

Mr. Bray stated the Township also has a very significant basin naturalization program. He stated this was started in 2009, and there are about fifty to sixty basins in the program now. He stated a natural meadow configuration absorbs over twice as much water as does grass. He stated grass to an environmentalist is essentially “green asphalt.”

Mr. Bray stated the EAC views open space as a very high priority for Lower Makefield Township. He stated in the Plan they put forth in 2008 they talked about some small neighborhood properties which generally are not part of an Open Space Plan, but these little greenbelts are very important to the Township neighborhoods. He stated the Township recently preserved one in the W. Ferry area of approximately seven acres, and the neighbors were very pleased about this. Mr. Bray stated because of the economy the Township is reluctant to spend taxpayer dollars on anything including open space, but they feel there are still some significant “buys” available and hopefully later this year or next year with the economy improving the Board will move in a positive direction with respect to open space. He stated the EAC has prepared a list of properties that should be considered for acquisition.

Mr. Bray stated they have brought the Board of Supervisors over the last five to six years some very significant, cutting-edge pieces of environmental legislation; but if the community next to them does not have this, it does not mean as much. He stated this why the EAC has an effective outreach program where they talk to other communities. He stated after talking to Yardley, they now have an LID Ordinance that is very similar to Lower Makefield’s. He stated he feels Ordinances like this should have broader coverage such as County, State or watershed. He stated the EAC also finds out what other communities are doing that they can bring back to Lower Makefield.

Mr. Bray stated he feels the Comprehensive Plan is very powerful, and will take the Township in a positive direction over the next ten years.

Ms. Wolff asked for additional information about the property preserved on W. Ferry, and Mr. Bray stated it is on W. Ferry and Pine Grove and is an unusual piece of property with a frontage of 200 to 300 feet but it then goes behind a number of existing houses and has some significant, mature trees. He stated it also has a basin.

Mr. Alan Dresser, EAC, asked if they will be able to look at a draft of the Open Space, Water Resources, and Recycling Sections since they will probably have comments related to those; and Ms. Bush stated they will.

Mr. Dresser stated in the Woodlands Section they discussed the Subdivision and Land Development Ordinance which has tree protection standards, and he stated they should also include in this Section that they have a Tree Replacement Ordinance that requires the builder to replace trees that they take down.

Mr. Jeff Benedetto stated there was an article in the Courier recently about the Bucks County Open Space Program which indicated that some of the money being spent in Lower Bucks is for projects in existing parks. Mr. Benedetto stated he believes there is money left that Lower Makefield could spend. He stated the EAC provided an extensive inventory of the open space, and the W. Ferry property was one of them. He stated he would like to see the Township purchase additional open space.

Mr. Benedetto stated with regard to the Section on Air Quality where they discuss pedestrian and bike trail networks, he feels there is an opportunity to tie something in with Edgewood Village since parking is an issue there. He stated he would like to see something near Patterson Farm now that Edgewood Village is becoming a reality.

Ms. Lisa Huchler-Smith of the Disabled Persons Advisory Board was present and stated they are very focused on Township issues but it is frustrating that the surrounding communities do not have active Disabled Persons Advisory Boards since she feels many of the issues should be considered Countywide. She stated they have written letters in the past supporting a Countywide Disabled Persons Advisory Board since they feel that would bring together some of the other communities. She stated there are also things that could be addressed at the County level that cannot be addressed on the local level, and she particularly noted transportation. She stated many people in Bucks County do not have any public transportation and this creates problems for disabled people. Ms. Smith stated certain communities are also not up to regulation with regard to signage.

active in updating the 911 database for the first responders so that they are aware of those living in the Township that have a disability. Ms. Smith stated she knows that many communities are not even aware that this is possible to do and a County-wide Disabled Persons Board could help with this.

Mr. Bush asked how they define “disability” and how they see this changing in the future. Ms. Smith stated the one problem they have is that many people do not want anyone to know that they have any kind of disability and are concerned that they could become a victim if that information fell into the wrong hands. She stated the Township is also becoming an aging community.

Ms. Smith stated another issue is that when there is an emergency situation such as a hurricane, people do not always show up immediately at the shelter and the shelter gets closed; however, after a number of days without electricity, people begin to look for a shelter. She stated during one of the recent incidents there was an open emergency shelter, but no one was aware of it so she feels there should be better communication. She stated another time the shelter did not have electricity and there were people that needed electricity for oxygen and other medical needs.

Mr. Dave Rogers stated the Disabled Persons Advisory Committee represents the users throughout the community. He stated they are working now on an accessible playground which is for all children so that those who are disabled in the family can go with their siblings and friends to a playground together.

Ms. Bush asked if the issue of sidewalks and pathways comes up in the discussions of the Disabled Persons Advisory Board, and Mr. Rogers stated maintenance of the path system is an issue. He stated if there are cracks, this is a problem for those in wheelchairs to navigate. He stated at one point they were looking into whether they could make the Five Mile Woods accessible, but it was almost impossible so they backed off of this. Mr. Rogers stated he does not feel it is an issue of not having enough paths, but maintenance is very important.

Although they were invited, there was no one present this evening representing the Emergency Management Commission.

Ms. Bush asked those present to consider what they would like to see over the next ten years.

Mr. Bob Dwyer stated as a developer he feels it might be beneficial to create an incentive to help solve some of the impervious coverage issues and possibly they could consider underground parking with an incentive to allow for more creative development of structures. He stated underground parking would reduce the impervious coverage. Ms. Bush stated this could reduce the footprint on the land.

Mr. Benedetto stated he feels they should emphasize safe pedestrian/biking circulation, and he particularly noted River Road and Edgewood Village/Veterans Square. Mr. Bush stated pedestrian and bike paths have come up in a lot of the development discussions. He particularly noted areas around the Township Complex, and they feel it would be good to have all the bike paths built in that area. He stated he does feel River Road is a dangerous road and people should not be riding bikes on it. He stated he is concerned about the areas where there are a lot of starts and stops in the bike path system in the Township which makes it dangerous. Ms. Bush stated she feels they should look at where the gaps are and consider how they can connect them. Mr. Bray stated the linkages are essential for both bikers and walkers.

Mr. Bray stated the Delaware Canal is possibly one of the best tourist and residential assets in the Township. He stated periodically it gets wiped out in a storm and the State is slow in getting it repaired and the people suffer. Ms. Bush stated they may want to make sure as part of the vision that the Canal remains intact and maintained.

Mr. Benedetto stated a lot of issues came up during Hurricane Sandy, and he feels there needs to be better communication; and there should be an emergency plan which is implemented. Ms. Bush asked if there is a Township email alert system, and Ms. Tyler noted the Ready Notify system but only approximately 1,300 are on the system. She stated the Board of Supervisors is going to consider this issue in August. She discussed some issues which occurred during Hurricane Sandy and problems with communication. She stated she feels they need to have a designated radio station so that people know they can go to during these storms to get information. She stated the Electronic Media Advisory Commission is looking into this at this time as well. She stated the only email list they have currently is the Pool Membership which represents only a fraction of the Township residents in that Database. She stated she is still particularly concerned about communication with the Townships senior residents who may not have a Smart Phone, etc. to find out where shelters are located. Ms. Tyler stated they are also going to ask PECO to come back in September to discuss storm response, but before that she feels the Township needs a Plan as to how to get information out to the residents and to have a standard so that the residents know where to go to get information. Ms. Tyler stated it is also their intention to have the new Community Center become the emergency shelter.

Ms. Bush stated she does feel this could be considered a goal for the Master Plan since it is a safety issue.

Mr. Dickson stated he was pleased to hear that the Township called a State of Emergency during the last storm since it is a difficult situation when there are people traveling on the roads during these major storms. He stated in the community where he grew up those with four-wheel drive vehicles were asked to come to the Township Building so that they could be dispatched to help those needing to be transported. He stated the database of those needing help would be important so that they could help those people in need.

Ms. Smith stated the Emergency Management Committee does have a Command Center at the Township Building, and if they could make that number available to those needing help, that would be very helpful.

Mr. Benedetto stated from 2000 to 2010 the population actually went down by a few hundred people, and he does not feel that the Township is going to grow that much more; and they should consider what this means. He stated it is also becoming an older population given the development of Regency. Mr. Rogers agreed that the demographics are changing, and you can see this in the number of people using the Pool since their numbers have dropped.

Mr. Bray stated there are only 1,500 acres left to develop in Lower Makefield and the demographics will change. He stated in the future the home prices are going to escalate in value because there will not be additional homes built in the Township and it is a very desirable place to live. He feels it will become an older community since generally older people have more money than younger people who may not be able to afford to live here.

Ms. Bush stated they will meet next on the Comprehensive Plan on Monday, July 22 and will follow the same format with Park & Recreation, Electronic Media, and the Veterans Committee invited to that meeting.

OTHER BUSINESS

Ms. Frick stated there will not be a meeting of the Planning Commission on Monday, July 8, 2013.

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There being no further business, Mr. Pazdera moved, Mr. Dickson seconded and it was unanimously carried to adjourn the meeting at 8:55 p.m.

Respectfully Submitted,

John Pazdera, Secretary