

TOWNSHIP OF LOWER MAKEFIELD
PLANNING COMMISSION
MINUTES – JANUARY 27, 2014

The regular meeting of the Planning Commission of the Township of Lower Makefield was held in the Municipal Building on January 27, 2014. Mr. Bush called the meeting to order at 7:35 p.m.

Those present:

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

Others: Nancy Frick, Director Zoning, Inspection, & Planning
John Torrente, Township Solicitor
Maryellen Saylor, Township Engineer

Absent: Mark Fried, Planning Commission Member
Dan McLaughlin, Supervisor Liaison

REORGANIZATION: ELECTION OF OFFICERS

The meeting was turned over to Mr. Torrente who called for nominations for Chairman of the Planning Commission for 2014. Mr. Dickson moved, Mr. Bush seconded and it was unanimously carried to elect Karen Friedman as Chair of the Planning Commission for 2014.

Mr. Dickson moved, Mr. Friedman seconded and it was unanimously carried to elect John Pazdera as Vice Chairman of the Planning Commission for 2014.

Ms. Friedman moved, Mr. Bush seconded and it was unanimously carried to elect Dean Dickson as Secretary of the Planning Commission for 2014.

The meeting was turned over to Ms. Friedman.

DISCUSSION OF MEMORIAL PARK ALL INCLUSIVE PLAYGROUND

Mr. Micah Lewis, Boucher & James, was present and provided a copy of the Conceptual Master Plan. He stated they were contracted to come up with a design for the inclusive playground at Memorial Park. He stated the projects will be funded by a Grant, and the estimated cost is approximately \$300,000 for the base bid.

Mr. Lewis stated the Park & Recreation Board and the Disabled Persons Advisory Board have been heavily involved in the selection of site amenities, layout, and site design. He stated the playground equipment selected incorporates audio-visual and sensory-type amenities with multiple levels of complexity to develop physical, cognitive, sensory, and social skills. He stated the playground is for children up to approximately age twelve. Mr. Lewis reviewed the various pieces of equipment.

Mr. Lewis stated they hope to go to bid in early February. He stated the safety surface is approximately 8,500 square feet. He stated they will also have six accessible parking stalls to get to the playground. He stated these are new parking stalls. Mr. Lewis stated there is an existing regional stormwater basin on site which can handle this project.

Ms. Friedman asked about seating for adults, and Mr. Lewis stated there are seven benches that will be incorporated as an alternate bid as they are trying to keep the \$300,000 threshold under control.

Mr. Dickson asked who will be financially responsible for the maintenance once it is completed; and Mr. Lewis stated it will be the responsibility of the Township, although they do not see any extreme measure of maintenance. He stated the safety surface will need to be swept with handheld blowers when it gets dirty.

Ms. Friedman asked if they have checked the equipment with respect to liability, and Mr. Lewis stated they have and it conforms to the ASTM minimum requirements. He stated the surface itself is a rubberized surface. Ms. Friedman asked the weight limits for the equipment, and Mr. Lewis stated this should not be a problem as the pieces can handle the weight of a sixteen year old.

Mr. Bush asked the life expectancy for the equipment; and Mr. Lewis stated the safety surface has a ten-year guarantee; and while each piece of equipment varies, the average is fifteen to twenty years. Mr. Bush asked what will happen to the surface in ten years, and Mr. Lewis stated the surface can be repaired and removed. He stated there is 1 ½" of wearing course, and underneath that is 5" of loose rubberized mulch. He stated the wearing course can be removed and re-poured.

Mr. Pazdera asked the height of the fence, and Mr. Lewis stated it is 4'. Mr. Pazdera also asked about the height of the shrubs, and Mr. Lewis noted they will specify cultivars that stay approximately 3'.

Mr. Bush asked if the replacement of the surface is automatically done in ten years or is it only done if needed; and Mr. Lewis stated it would be as needed. He stated if the surface were to get a crack, it could be repaired with an epoxy. Ms. Friedman asked for an estimate of the cost to replace the surface, and Mr. Lewis stated it would cost \$5 to \$6 per square foot. Mr. Lewis stated other playgrounds have yearly costs of replacing mulch, so this will involve far less maintenance and less cost than a normal playground.

Mr. Bush asked if there will be more parking needed as additional amenities are added. Mr. Lewis stated there is an existing Master Plan for the site which shows additional parking. He stated they are only incorporating the six ADA spaces for this playground. He stated the only ADA spaces on the site are next to the 9/11 Memorial. Mr. Bush stated he assumes that as additional components of the Park are built, additional parking will be added; and Mr. Lewis agreed. Mr. Bush asked if this is the last piece that can be added on without expanding the parking lot, and Mr. Lewis stated he feels a few more fields could be added without adding parking.

Ms. Friedman asked if this playground is handicap-friendly, and Mr. Lewis stated the whole playground is. Ms. Friedman asked how children in a wheelchair could use the equipment, and Mr. Lewis described how various pieces of equipment could be used.

Mr. Jeff Benedetto asked why Memorial Park was picked as the location for this playground, and Mr. Lewis stated it is shown in the original Master Plan for this Park. Mr. Benedetto stated no one seems to know why this location was picked, and he has heard more complaints than he has heard positive comments about it being at Memorial Park since it is at the far end of the Township. Mr. Benedetto stated he has discussed this with the Disabled Persons Advisory Council, and they advised him that they had nothing to do with the location. He stated he feels it was probably decided by Park & Rec, and he wishes that there had been more public input.

Mr. Benedetto stated the original Grant for this project was \$150,000, and the Board of Supervisors approved an additional \$250,000 that will go toward the inclusive playground. He asked where the additional \$250,000 is reflected in the Plans. Mr. Lewis stated if they just used the \$150,000, they could construct approximately half of the playground. Mr. Benedetto stated he understood there was a Plan that showed what they would build for \$150,000. Mr. Lewis showed on the Plan what structures would have been built if they only had \$150,000. Mr. Lewis stated what is being shown was the original plan, and it was then broken down into a Phase I and Phase II although now they are proposing to proceed with the entire plan with the additional money.

Mr. Benedetto stated he is troubled that no one takes ownership for the location. He stated he feels there should have been public input, and it is possible that there was although he is not aware of it. Mr. Benedetto stated the Board of Supervisors has not discussed the location since he has been on the Board. Mr. Lewis stated this was part of the overall Master Plan for Memorial Park which he feels was dated 2005. Mr. Benedetto stated he would like to know when and who decided on this location.

#630 – FLORAL VALE PHASE III AND SOUTH CAMPUS – INTERNAL DRIVEWAY CONNECTION PRELIMINARY/FINAL PLAN DISCUSSION AND APPROVAL

Mr. Bob Dwyer was present and stated he had been present in the summer to discuss the internal driveway to connect the two parking lots. He stated comments were received from Boucher & James, the Bucks County Conservation District, and Bucks County Planning Commission; and they have attempted to address all of these comments. He stated while there are some minor items still to be addressed in the Boucher & James letter, they are all “will comply.” Mr. Dwyer stated he is asking that the Planning Commission recommend approval of this interconnection which is a driveway from Phase III Floral Vale to the south campus of the Lower Makefield Corporate Center. He stated this also includes converting thirty-four banked parking spaces in Floral Vale Phase III that were previously approved. He stated all stormwater management has been taken into account, and the Township engineer has reviewed this.

Mr. Dwyer stated they are requesting one Waiver as the driveway is required to be 24’, and they are asking that it be 18’ since there is no parking allowed, and it is only an access. He stated the Fire Marshall as approved this. Mr. Dwyer stated they will install sidewalks and the additional streetlight which was requested.

Ms. Saylor acknowledged that the items still to be complied with are minor.

Ms. Friedman asked if they expect pedestrian traffic, and Mr. Dwyer stated while they do not, they have shown a sidewalk. Ms. Friedman asked if there are 3’ shoulders on each side, and Mr. Dwyer stated there are. Ms. Friedman asked if trees will be removed, and Mr. Dwyer stated some will, but they are not mature trees; and they will be replaced.

Mr. Torrente noted the Police Department letter requested stop signs, and Mr. Dwyer stated while they are not currently on the Plan, they will comply with this.

Mr. Pazdera moved Mr. Bush seconded and it was unanimously carried to recommend to the Board of Supervisors approval of the Preliminary/Final Plan last revised 12/24/13 subject to:

- 1) Compliance with Boucher & James letter dated 1/23/14
- 2) The Planning Commission supports the Waiver for the cartway width of 18'
- 3) Compliance with Captain Roche's letter of 1/13/14 regarding stop signs at either end of the connector road.

FIELDSTONE (HARRIS TRACT) SKETCH PLAN PRESENTATION

Ms. Carrie Nase Poust, attorney, Mr. Bill Reardon, engineer, and Mr. Brian McKenzie, representing Beazer Homes, were present. Ms. Poust stated the property is located at 1269 Edgewood Road and consists of approximately thirty-nine acres located in the R-2 District. She stated it has been proposed for development for quite some time and Preliminary Plans were approved a few years ago. She stated Beazer Homes has recently put the property under Agreement of Sale, and they are looking to revise the layout of that Plan. Ms. Poust stated in November they met with the EAC who had some comments, and they have incorporated some of those comments on the Plan. Ms. Poust stated they filed a Sketch Plan which is before the Planning Commission this evening, and they would like to have an informal discussion to get feedback from the Planning Commission before they move forward with engineering and submit full Preliminary Plans.

Mr. McKenzie stated Beazer Homes is a publicly traded national homebuilder with operations in sixteen states. Locally, they are based in Trevoise. He reviewed where they have built townhomes and single-family communities locally.

Mr. Reardon stated the Plan submitted consists of two sheets. He stated the first is an Existing Resources Site Analysis Map which shows the existing conditions at the property. He noted the location of the tract on Edgewood Road with the upper portion of the property being relatively open. On the lower (southern) portion of the property back toward the railroad tracks and Brock Creek is where there are wetlands, floodplains, steep slopes, and the former landfill. He stated this has driven how they have come up with the layout for the property.

Mr. Reardon stated the second sheet submitted is the actual layout, and what they are proposing is a cluster development. He stated they will consolidate the lots in a much smaller area, conserving a significant amount of the resources, and providing a significant amount of open space. He stated the Plan shows in excess of 70% of the lot preserved as open space, and the Ordinance provision for a cluster development is to have at least 51% open space.

Mr. Reardon stated the area of the development will consist of thirty-five residential lots. The minimum lot size is approximately 11,400 square feet with most of the lots 14,000 square feet or about one-third of an acre. Mr. Reardon stated the development will be accessed by one main access off Edgewood Road approximately 350' to the east of Whitehall Drive. This will come into a T-intersection, and the road will go both east and west. To the west they have one cul-de-sac, and to the east there is a loop road creating a pocket park in the middle. This was one of the design features the EAC was in favor of. Mr. Reardon stated they are also preserving more open space along the frontage so that they can provide a buffer from the lots to Edgewood Road.

Mr. Reardon stated Boucher & James has reviewed the Plan and has identified a number of Zoning and Subdivision comments that, as they move through the process, they will look to address and incorporate as much of those items as they can in the Plan.

Mr. Pazdera asked the type of product they are proposing. He stated looking at the scale of the houses they are showing compared to the surrounding existing homes, they look substantially smaller. Mr. Reardon stated the house footprints at this time are very generic, and they will market probably a 3,000 to 3,500 square foot home. Mr. Reardon stated when you look at a cluster development, you are trying to conserve as much open space as possible. Mr. Pazdera stated the physical structures in the surrounding area seem to be larger.

Mr. Bush asked if they have considered squeezing in another access road; and Mr. Reardon stated while they have looked at it, some of their initial studies have shown that one access would suffice. He stated they may want to look at incorporating some kind of emergency access to the eastern portion of the property. Mr. Bush stated looking at the way the properties are put together, there does not seem to be a spot where they could add an emergency access; and Mr. Reardon agreed. Mr. Dickson stated they could eliminate Lot #25.

Ms. Friedman stated the circular driveway looks tight, and asked if an emergency vehicle could navigate this comfortably; and Mr. Reardon stated it can, and the cul-de-sac meets the Township's requirements.

Ms. Friedman stated the Planning Commission never received anything in writing giving the landfill a clean bill of health. Mr. Reardon stated there are ongoing discussions with the DEP to resolve the environmental aspects. He stated this project will have to go through a voluntary Act 2 remediation process; and before anything can physically be constructed on the site, that Plan will have to be reviewed and approved. This will provide the Township with the understanding

that the environmental aspects will be addressed. He stated the development of the property is a key component of that Act 2 as the development itself serves as the closure of the landfill.

Mr. Dickson stated he recalls that there was a significant amount of testing done in the area, and basically it was not economically feasible to excavate all of the landfill material. He asked how this will be resolved environmentally. Mr. Reardon stated typically in a situation like this the area of concern will be capped, and they will come in and put in a certain amount of soil depending on what contaminants are there. He stated that area will then be further stabilized which in this case will be a landscaped meadow area. He stated in order to do this there is the development component that is necessary in order to support that capping procedure.

Ms. Friedman asked about the run off from the back area, and Mr. Reardon stated the development run off will all be managed within the development area and go into the wetland areas that feed the creek. He stated the other area will be a grassed area and run off in the same manner that it does now.

Ms. Friedman asked if the Township has any other cluster developments, and Ms. Frick stated she does not recall any. Mr. Bush stated he feels the closest one would be the age-restricted community.

Mr. Lou Grossman, 1313 Lexington Road, asked if the Plan will be available at the Township for inspection, and Ms. Frick stated it will. Mr. Grossman stated it appears the egress will be in the back of his home, and he would like them to move it down to where there are no houses. He also asked that they consider buffering if they cannot move the egress. He stated he has a number of questions since this is the first time he has seen a cluster development in Lower Makefield.

Mr. Stephen Heinz, 1355 Edgewood Road, stated his home is to the west of the site. He asked what might happen to the little stream since it is pristine before it enters the property and once it hits the property it disappears and becomes part of the subterranean aquifer that eventually goes into the creek but it is also impacted by the area of the landfill. Mr. Heinz stated he feels they should come up with a creative way to make that more of a positive aspect of the site. He stated in capping the landfill he feels it should be capped on all sides and kept from running into the stream. He stated there should also be positive drainage put on the uphill side. He stated he is concerned that the subterranean flow will filter through the capped area. Mr. Heinz stated they should also consider the quality of the environment that the new houses will experience because of the existence of the railroad line adjacent to these new homes which will be on the crest. He stated they should consider an agricultural/arbor buffer as soon as possible before they do any other land clearing so that there are a lot of trees there so that when they begin selling houses, the trees

will be tall. Mr. Heinz also stated there has been an understanding in writing that when the sewer systems go in, the three outparcels will be included in the sewer system.

Mr. Scott Stebbins, 1337 Edgewood Road, stated he also wanted to make sure that his property is included in the sanitary sewer.

A woman from Deerbrook Drive asked if there would be an impact on Deerbrook Drive, and Mr. Reardon stated all the development will be toward Edgewood Road; and there would be nothing in the back that would connect to Long Acre or go across the Railroad tracks.

Ms. Amy Grossman, 1313 Lexington Road, stated they should take into consideration the amount of traffic on Edgewood Road, and she is concerned about thirty-five additional houses feeding onto Edgewood Road. She asked what they anticipate the selling price of the homes will be; however, Mr. Reardon stated they did not know at this point.

Mr. Benedetto asked where Beazer Homes has built homes, and Mr. McKenzie noted again areas in the general area where they have developments. Mr. Benedetto asked if they are all cluster developments, and Mr. McKenzie stated they vary. Mr. Benedetto stated he feels the Railroad is a critical issue as approximately 1,000 residents are already impacted by the Railroad. He suggested that they build up a buffer. Mr. Benedetto asked if they are able to develop anything in the lower half of the property, and Mr. Reardon stated they are not. Mr. Benedetto stated they are proposing thirty-five homes on twelve acres. He stated the Matrix Development is too condensed, and as a Supervisor he would not be in favor of approving this sort of development. Mr. Nick Casey was present and stated this has been reduced from forty-four lots. Mr. Benedetto stated he still feels that thirty-five is too many. He stated it would help with the traffic issue and limit the number of new residents that will be impacted by the railroad noise.

Mr. Grossman asked who owns the property, and Ms. Poust stated Quaker Group owns the property, and Beazer has an Agreement of Sale with Quaker Group.

Ms. Lois Childs, 1345 Lexington, stated she looked into Beazer Homes, and it seems that they build apartments; however, Mr. McKenzie stated while there is another Division that builds apartments, Beazer is primarily a new home builder.

Mr. Will Heyman, 549 Long Acre Lane, asked if the capping will raise the land, and Mr. Reardon stated it could be 1' to 3' depending on the area. He stated it is a thin soil cap to prevent contact. He showed on the Plan where the capping will take place. Mr. Heyman expressed concern with the water run off, and Mr. Reardon

stated there is extensive process they go through to determine the drainage to make sure that everything is handled appropriately. He stated DEP would not approve a Plan with any kind of ponding on someone else's property.

Ms. Saylor stated one of the Zoning comments her office made brings up the fact that there is a Special Setback required from Edgewood Road that will impact some of the lots. Mr. Reardon stated they recognize that they may have to obtain a Variance or make changes to the Plans. Ms. Saylor also noted the minimum area for a flag lot, and Mr. Reardon stated they will look at this as well. Ms. Saylor noted with respect to the loop road they may need a Waiver for the length. Mr. Reardon stated they will consider all the comments and come up with a design to try to satisfy the Ordinance as much as they can. Ms. Poust stated this is why they wanted to submit the Sketch Plan so that they could get feedback; and now that they have the feedback and the review letters, as they go through the Preliminary Plan process they know that they will either need Waivers or Zoning relief or be able to revise the Plan to address those issues.

Ms. Friedman stated she has a concern with the cluster development especially in this location which is in the center of the Township. She stated the amount of outdoor living space around each house is almost nothing. She stated the front yard is only 30' from the asphalt, side yards are only 10' to 15' between houses, and the rear yard is 40' which she feels is too tight. She stated she would like to see an attempt if possible, recognizing the financial situation, to relax this so that the houses have more space.

COMPREHENSIVE MASTER PLAN UPDATE DISCUSSION

Ms. Gail Friedman and Ms. Lisa Wolff were present. Ms. Gail Friedman stated the Community Facilities Section includes the Schools, and this was done in consultation with the Pennsbury School District. She stated they still base their calculations on housing types with the multipliers as shown for townhouses, single-family, and District average. She stated they have provided a new table of birth rates which shows a decline throughout the District. These birth rates set the pattern for their enrollment. She stated there was a 60% drop in the birth rate from 2005 to 2011 in the District. Accordingly enrollment at all grade levels will drop through 2018. She stated there is a new table of projected enrollment showing drops for School years from 2014 to 2018 averaging 2% or more per year for a total cumulative drop of nearly 7% by 2018. She stated the District has already consolidated and closed one Elementary School this past year and has redistricted those students.

Ms. Gail Friedman stated they have also formed a Committee to consider the need for potential Middle School redistricting, but they expect any further redistricting to be relatively minor in nature.

Ms. Gail Friedman stated with respect to physical improvements to the School District most of the Elementary Schools have been renovated since 2003 with the exception of Edgewood. The Boehm and Pennwood Middle Schools will be evaluated for renovations. She stated the recommendation for continuing action is that School officials will continue to monitor building conditions and enrollment changes and implement improvements as warranted.

Ms. Wolff stated the Wastewater Facilities Section was worked on by an environmental planner in their office. She stated they did reach out to Bucks County Water and Sewer Authority several times, but they were unable to get information from them. She stated they therefore contacted DEP, and they were provided an excerpt from the Chapter 94 Report to get the information to update this Section. She reviewed the wastewater systems in the Township and how the systems developed. She stated as of 2012 the Chapter 94 Report indicates that there are 160 miles of gravity sewers, 12 pumping stations, 12 miles of force main, and 7 waste water flow metering stations. Ms. Wolff stated the collected wastewater is treated at the Morrisville Municipal Sewer Authority Wastewater Treatment Plant and the Philadelphia Northeast Treatment Plant. There are five sewer service areas in the Township. Ms. Wolff stated they are trying to get verification of all of this information from the Township Sewer engineer. She stated if they get any changes from the Sewer engineer, they will update this information. Ms. Frick suggested that they speak to Kevin Kall, the Township's Public Works Director, for this information.

Ms. Karen Friedman asked if they feel that the systems will be able to handle the Township as they get to build out; and Ms. Wolff stated she could discuss this with Mr. Kall although there was nothing indicating that there should be a problem with future development. Mr. Wolff stated one of the recommendations in this Section is to review the 537 Plan. She stated that since some of the public systems in the Township are older, there could be problems in the future.

Ms. Wolff stated they still need to verify septic system failures in the Township. She stated the 2003 Plan called for sewerage Edgewood Village as well as Delaware Rim Drive, Sunnyside Lane, W. Afton Avenue, and Yardley-Newtown Road. She stated she is not sure that they have been sewerage, and she was advised to discuss this with Mr. Kall.

Ms. Wolff stated there is a recommendation that there be consideration to update the Township's 537 Plan. She stated there is also a statement included that the Township has had a policy of requiring all new major developments to be served by public sewers. She stated there is a new recommendation with regard to Capacity Agreements, and they recommend that the Township continue long-range Sewage Disposal Capacity Agreement and revise the Township's Act 537 Plan as a result of the new Agreements.

Ms. Wolff stated there is an existing recommendation which has been included in this update as well which is that for those properties that still rely on on-lot sewage systems, that consideration be given to having a maintenance requirement for those lot owners as well as an education program on proper maintenance. Mr. Bush asked if other communities do this, and Ms. Wolff stated some communities have pamphlets and put information on Websites about on-lot systems. She stated she is not sure whether the Township has anything in place now that requires them to pump out their systems a certain number of times per year. Mr. Bush asked if she knows how many on-lot systems there are in the Township; however, Ms. Wolff stated she did not know. She agreed to contact Mr. Kall about this as well.

Ms. Gail Friedman stated the Township Administration Section was prepared in consultation with Terry Fedorchak. She stated the main area for change is in the second Section – Future Needs. She stated it notes that the Township is nearing full development so it will be a slow growth or no growth situation. She stated the elderly population is also likely to increase resulting in a diminished or shifting demand on services. She stated given the current Budget realities construction of a new Township Building is unlikely in the future as is additional hiring. She stated there have been improvements installed in the building including barrier-free improvements and some re-configurations. She stated barrier-free improvements should continue to be assessed and installed when necessary and to re-configure existing space due to changing needs and to possibly provide additional storage space. They should also maintain all areas of the building to be accessible to people with disabilities.

Ms. Gail Friedman stated with regard to Recommendations, there is a new Recommendation tied to usage figures for certain recreational programs and facilities in line with the trends and advances in technology. She stated the Plan recommends consideration of consolidating the Recreation Department operations within Public Works and possibly to make some staffing consolidation as well.

Ms. Gail Friedman stated financial planning is being assisted by the Citizens Budget Advisory Committee which is preparing a long-range Capital Improvement and Operating Plan.

Ms. Gail Friedman stated with regard to Public Works there have been minimal changes, and it is noted that there is a modest expansion in the amount of State roads to thirty-seven miles, and Township roads that are maintained by the Township now amount to one hundred forty miles. She stated the Township also has a new piece of equipment which is the brine applicator. She stated the Recommendations remain the same as in the previous Plan with the exception of Departmental evaluation and consolidation effecting Public Works and Recreation.

Ms. Gail Friedman noted Library Services, and she stated the Library Director expanded on this Section but stated that she was unable to make hard and fast predictions because of uncertainty about their Budget situation. She stated she indicated that she anticipates that most of the changes will be in terms of materials and usage rather than addition of physical facilities. Mr. Bush stated he has read a recent article about how Libraries are changing – not just going more digital, but that they are becoming Community Centers. Mr. Bush stated Lower Makefield owns the building where the Library is located, and there is a long-term Lease on the building. He stated he feels the current usage of the Library is going to go downhill if it stays the way it is. He stated while they do not control what the Library does, he is concerned that there is going to be an empty building there; and the Planning Commission might want to make a recommendation that the Township and the Library system collaborate as to how the building or portions of the building will be used in the future. Mr. Bush stated at one point there had been a recommendation that a Community Center be added onto the Library, and he still feels this makes sense and is consistent with what is happening across the Country. Mr. Bush stated Libraries are going digital, and he is concerned that the Library system is not really looking at what is going on and are not being forward looking. Mr. Bush stated he feels they should consider making a recommendation looking at what Lower Makefield should be thinking about going forward with regard to that building.

Ms. Gail Friedman stated if they want to make a specific recommendation, she would be glad to formulate it and put it in this Section. Mr. Bush stated as to a specific recommendation, he feels the Township should start discussions with the Library system about what is going to be going on at that building in the next ten years. Mr. Bush stated the most recent article he read indicated that Libraries across the Country are also being used as Community/Senior Centers with art displays and lectures. He stated this building is in the Center of the Township and has existing parking and infrastructure.

Mr. Benedetto stated he would be in favor of this, and he feels the Board and the Township Manager should start having discussions with the Library as he is concerned that it could become a vacant building.

Mr. Bush stated he feels the building could be easily re-configured or expanded upon and would be a prime location. Ms. Karen Friedman stated she supports this as well. She stated she feels it would be cost effective to use the building for a Community Center as opposed to building a whole new Community Center which they cannot afford. She stated she feels it would be easier to re-locate a small Library on some other piece of land, and use that building for other uses. She stated she feels they could use it quicker than having to build a new building.

Ms. Gail Friedman stated with regard to the Section on the History of the Township, the early history is substantially the same as what was in the previous Comprehensive Plan and has been expanded in certain sections by Helen Heinz.

With regard to the updated Historic Resources of the Township Section, Ms. Gail Friedman stated this is a Section that has changed more than a lot of the other Sections. When they last revised the Plan, there were changes in the State's Land Use Planning Law that authorized greater protection of historic resources at the Municipal level; and since then the Municipalities have had ten years to take those recommendations and enabling Legislation and implement them. She stated in those ten years, they have worked with a number of communities updating the Historic Preservation Sections of their Comprehensive Plans, and some communities are just beginning to look at ways to protect their resources while others like Newtown Borough have well established regulatory systems in place. She stated they have tried to look at what other communities are doing and make some recommendations that make sense for Lower Makefield which does have a history of striving to protect its resources.

Ms. Gail Friedman stated they looked at existing history inventories and surveys, and there is a handbook that dates back to 1998 that lists forty-nine historic structures throughout the Township. She stated all of these are not necessarily listed on the National Register, and there may have been some changes since they were listed.

Ms. Gail Friedman stated since the last Comprehensive Master Plan, the State Historic and Museum Commission has developed a GIS data base of historic properties; and while it may not be totally up to date, it is one of the better inventories they have. She stated the State inventory listed a total of twenty-six buildings that are listed on the National Register in Lower Makefield. She stated twenty-three of these are in Edgewood Village and the other three are Twin Arches, Dolington Manor, and the Palmer House. She stated in addition there are thirteen

more resources that may be eligible for National Register listing pending further study and evaluation. She stated the National Register is part of a Nation-wide program to support public and private efforts to identify and protect historic resources. She stated this program is run through the PA Historic and Museum Commission.

Ms. Frick asked if they want to list these properties like this in the Plan. She stated she has worked for the Township for many years and from the description given, she does not know where many of these properties are. She stated she would not be able to identify these without a Tax Parcel Number if someone wanted to know where they were. She asked why these are being listed in the Comprehensive Master Plan, and Ms. Gail Friedman stated typically the Municipalities want them to include this so they have an idea of what the resources to be protected are. She stated it would be difficult for her to identify them by Tax Map Parcel, and this is the only list they have.

Ms. Karen Friedman suggested putting this in an Appendix at the end and include a Note that references this in the Plan. Ms. Gail Friedman stated this would be a logical suggestion. Ms. Frick stated a map would also be helpful. After further thought, Ms. Gail Friedman stated she does feel that they could get the Tax Parcels as well. She stated she also feels that it would be good to put it in the Appendix adding it is background information for the strong recommendation to do a survey to know the historic status of these structures. She stated some communities also list and protect properties of local significance that may not rise to the level required for the National Register.

Mr. Benedetto asked who put these properties on this list, and Ms. Gail Friedman stated it is from the State Historic Museum Commission; and they received these listings over the years. Mr. Benedetto stated he was the Liaison to HARB last year, and he is not sure that all of these buildings are still standing; and he would want them to double check on this. Ms. Gail Friedman stated the text does make the point that they may no longer exist or that there may have been changes and alterations, and there is no guarantee. Mr. Benedetto stated he feels it should be up-to-date as possible since he feels it is misleading to state there are twenty-six buildings on the National Register if that is not the case. Ms. Gail Friedman stated someone would have to undertake a survey on this. She stated the third paragraph states, "That data base includes twenty-three properties listed as part of the Edgewood Village Historic District although some of these properties are known to have been demolished since the District was nominated to the Register." She stated she could also add a further clarifying line. Ms. Frick noted the suggestion made about a survey; however, Ms. Gail Friedman stated they would not be able to go out in the field to do that level of effort. Ms. Karen Friedman stated this is why she feels it should be in the Appendix as opposed to be in the body of the Master Plan.

Ms. Gail Friedman stated the following Section makes the recommendation that a historic survey or inventory is the first step toward resource protection, and those surveys may include not only properties of the first magnitude, National Register level significance, but also those important to local and community history. She stated there have been over the years some surveys which exist in various places, and the time has come to pull them together into one survey done by a qualified professional. Ms. Frick stated she felt that Mr. Carter VanDyke did this. Mr. Pazdera stated he feels he may have done this for Edgewood Village. Ms. Gail Friedman stated she was told that one was done in 2006 by an Intern or Graduate Student.

Ms. Gail Friedman stated the Plan notes that the Township is a Certified Local Government which may qualify it for funding to do some of this survey work. She stated it also incorporates by reference the report on Management Strategies for Township Owned Resources that was done by the Heritage Conservancy in 2006.

Ms. Gail Friedman stated the Edgewood Village Section has been updated, and it summarizes the preliminary work that was done regarding the protection of Edgewood Village starting with the Conceptual Planning Study that was done in 1999. This progressed into Zoning work, the Traditional Neighborhood Development Overlay Zoning District, and the Design Guidelines drafted by Carter VanDyke. She stated as of today there have been at least two Approved Land Development Plans for a large portion of the Village. One of them is Edgewood Crossing on the north side of Stony Hill which has been fully implemented. The other one, Flowers Field, is still pending; and is a largely Residential Development in conformity to the Historic Zoning regulations that have been put into place. She stated they have made the recommendation that the Zoning regulations be reviewed and updated as necessary as the re-development of Edgewood progresses. She stated they have emphasized their concern with the loss, deterioration, and potential for some of the individual resources that contribute to the Historic District.

Ms. Frick expressed concern with some of the language regarding review of developments in conjunction with the design guidelines. Ms. Gail Friedman stated the point was that the oversight rests with the Township and changes may be necessary. She added that one specific issue that would effect HARB is the use of modern materials that replicate the appearance of the original when doing work in the Historic District. Ms. Frick noted page 4 and asked who are the "officials and agencies" involved with the restoration/replacement in the Historic District. Ms. Gail Friedman stated she feels the Planning Commission would do this, and Ms. Frick stated they do not approve Building Permits. She stated they were referring to the Planning Commission, Board of Supervisors, and HARB.

Ms. Karen Friedman stated they need to qualify who this is. Mr. Bush stated he feels it would be HARB; however, Ms. Frick stated it indicates “officials,” and she asked who would be the “officials” on HARB. Mr. Bush asked who reviews the materials if someone wants to do something in Edgewood Village, and Ms. Frick stated it would be the HARB, and a Certificate of Appropriateness is issued. Mr. Dickson stated the HARB is just an Advisory Board so they would need to make a change in the Township Code that would allow HARB or someone else to make these decisions.

Ms. Karen Friedman asked if the HARB always has someone who is in an official capacity who understands all of the historic pieces, and Mr. Benedetto stated they are required by Ordinance to have an architect, a Realtor, and another requirement for a third individual.

Ms. Gail Friedman stated the issue of “original equipment” stems from their work with Newtown Borough where this issue was first brought up. She stated she is not sure what they ultimately decided to do, but her office made the recommendation, with their concurrence, that their HARB be able to consider using reproduction materials that mirror the original; and they accepted that recommendation.

Ms. Gail Friedman asked if they feel this is so problematic that they should take it out, and Mr. Bush suggested that they explain who the “officials” and “agencies” are. Mr. Dickson stated he feels the problem is the use of the word “regulating.” He stated it is regulated by Ordinance. Mr. Bush stated they could state that the HARB and the Board of Supervisors should balance the advantages of restoration or replacement. Ms. Frick stated the officials would be the Board of Supervisors and the agency would be the HARB. Ms. Karen Friedman asked if they are limiting themselves by naming just these two, as there may be a time when they want to bring someone else in such as Carter VanDyke.

Mr. Bob Dwyer stated the governing body has at its disposal all of these various agencies, staff members, etc. who they can call upon. He stated while the Comprehensive Plan is a direction, the governing body has the power. He stated the Comprehensive Plan is not an edict, rather it is just what they feel is the state of affairs of the Township.

Mr. Benedetto stated there is a difference between HARB and other advisory Boards as the Township is statutorily required to have a HARB.

Mr. Dwyer stated this Plan should be a “broad brush,” and Ms. Frick agreed that what is shown is narrow the way it is written.

Ms. Karen Friedman suggested that they consider this issue further and discuss it at a future meeting.

Ms. Gail Friedman stated the next Section deals with Township-wide preservation in addition to Edgewood Village, and it suggests doing a Historic Resource Survey of three early Twentieth-Century neighborhoods – Arborlea, Edgehill Gardens, and Westover to be evaluated for potential Historic District designation. Mr. Dickson stated in the document it indicted that the housing in the Township was divided into three categories; and since they are in the second decade of the 21st Century, Edgehill Gardens is now close to 100 years old so maybe there should be an inventory taken of all those houses and buildings in the Township that were built between 1900 and 1930. Ms. Gail Friedman stated this is one thing that a Survey could do depending on its scope. She stated this Section was developed in consultation with representatives of HARB and the Historical Commission.

Ms. Gail Friedman stated under Historic Preservation Criteria basically anything fifty years or older may potentially be considered and evaluated for historic designation and preservation. She stated they could expand this Section to incorporate “Housing from 1900 to 1930 should be surveyed.”

Ms. Gail Friedman stated the next Section deals with the legal mechanisms of preservation. She stated there is Act 247 in the PMPC which enables historic regulation through Zoning Ordinances. She stated the TND Overlay District is an example. She stated Act 247 and Overlay Districts may be particularly well suited for protecting dispersed resources as opposed to those that are concentrated in a District in the form of Edgewood Village. She stated the second pathway is Act 167 which is the State Historic District Act which enables Municipalities to designate Local Historic Districts and adopt Ordinances to protect them. She stated most of the Bucks County Communities that have Historic Districts protect them through Act 167 Ordinances which are typically stand-alone Ordinances.

Ms. Gail Friedman stated this also notes that the situation in Lower Makefield is that they have a “hybrid” regulatory scheme as there is a Historic District but it is not an Act 167 District, yet they have a HARB. She stated there have been suggestions over the years that they consider making it an Act 167 District, but this would be up to the Township.

Ms. Gail Friedman stated there is a brief discussion of some of the economic incentives that enable historic preservation such as tax credits, historic markers, etc.

Ms. Gail Friedman stated the Recommendations have been discussed and include to monitor and implement the TND Zoning to make adjustments if future conditions warrant. It also includes to implement and monitor design guidelines to make sure they are usable. Another recommendation is consideration of enacting an Act 167 District for Edgewood Village. The recommendation for public education is typically the province of the Historic Commission. Another recommendation is property maintenance and Code Enforcement.

Ms. Gail Friedman stated under General Historic Preservation the first recommendation is to conduct a full inventory and nominate to the National Register those properties that are found to be eligible. She stated they could also possibly institute a Township-wide Historic Overlay District and Act 247 Zoning powers, used for historic protection. She stated they could also expand the type of uses allowed within the Historic Overlay District or at historic properties. She stated the examples are a density bonus of one additional dwelling unit as part of a new development if it preserves an existing historic structure or a lot averaging approach that allows a larger lot for a historic building that is preserved and smaller lots for others that are in the development. She stated these are devices that are in use by communities elsewhere in Bucks, Montgomery, and Chester County.

Ms. Gail Friedman stated there could also be a Delay of Demolition Ordinance since there is not one currently on the books, and this might be of use in preventing demolition and demolition by neglect of historic properties. She stated this adds the recommendation that demolition by neglect be treated the same way as Demolition Permitting. Ms. Frick asked for a further explanation. Ms. Gail Friedman stated she thinks someone would have to call demolition by neglect to the attention of the Township, and then seek Permitting for it. She agreed to clarify this. Ms. Frick stated she feels the Township would contact the homeowner to try to get them to do something if they are neglecting the property; however, Ms. Gail Friedman stated this would be Code Enforcement at the Township level. Ms. Frick asked what they mean by a "Delay of Demolition Ordinance." Ms. Wolff stated a Delay of Demolition Ordinance does not prohibit demolition but sets out the documents and timeframes so that if there is a property that has been so neglected it could fall under a Delay of Demolition Ordinance. Ms. Gail Friedman stated the clarification states "Defining demolition subject to historical regulation to include demolition by neglect is intended to catch situations before it is too late. If demolition by neglect is identified (although it does not state by whom so it could be a concerned citizen or Township official) it is viewed as demolition occurring without a Permit, and the landowner is required to go through the Demolition Application and Review Process just like any other proposed demolition."

Ms. Frick reviewed a situation which occurred where a property owner had started an addition; but when the basement caved in, the property owner tried to sell the property and the structure fell down. Ms. Frick stated she feels this was demolition by neglect but does not see how that would fall under what Ms. Gail Friedman is proposing. Ms. Frick stated the property owner had no money to do anything with the property. Ms. Gail Friedman stated she feels he would have been notified to apply for a Demolition Permit. Ms. Frick stated he did not want to demolish it, but he had no money to restore it. Ms. Frick stated she is having difficulty understanding the concept Ms. Gail Friedman is discussing.

Mr. Pazdera asked if there is another Township that has a Delay of Demolition Ordinance which they could be provided, and Ms. Gail Friedman stated many of them have these Ordinances which require a “cooling off” period or waiting period and sometimes pictures and visual documentation are required before demolition takes place. She stated they are speaking specifically of historic demolition by neglect. Ms. Frick asked what would determine if it was historic and if this means that it is on the Register or by what someone determines to be historic.

Mr. Bush noted there was a property in Edgewood Village, and Ms. Frick stated that was in the Historic Village although it was not a historic house so it was governed by HARB. Ms. Gail Friedman stated in the District, anything within the District would be considered to fall under this.

Mr. Dickson stated he believes that he read that there has been case law that stated that you cannot cite a hardship. If you own a property, and you allow it to deteriorate, and you then petition for a Demolition Permit, it has been ruled that it is a self-imposed hardship and you cannot just tear it down. Ms. Frick stated what they would do in the case she cited where the property owner had no money to fix it up and was trying to sell it. Mr. Dickson stated he still feels it is a self-imposed hardship, and he does not feel they should include this language as it is worded.

Ms. Karen Friedman asked that they consider this further and discuss it again in the future.

Ms. Gail Friedman stated the Delay of Demolition Ordinance recommendation minus the last sentence appeared in the last version of the Plan, and it would be easy to cross off the last sentence.

Mr. Dickson asked if they regulate ordinary Demolition Permits, and Ms. Frick stated they do. Mr. Dickson stated he feels they want to regulate Delay of Demolition by Neglect in the same way. Ms. Karen Friedman asked that they consider this further in the future.

Ms. Gail Friedman stated the final recommendations are minimal historic resource management to take into account the Heritage Conservancy Study in decision making related to the remaining resources, Township owned, and support the Historical Society in its search for a permanent home. Mr. Dickson stated during the discussions about the Scammell’s House, there was a recommendation by the developer that they were going to donate artifacts to a Township museum which does not exist. Mr. Dickson stated the proposed recommendation in the Plan is “A permanent home should be sought for this important collection;” and he would ask under whose auspices, where would the money come from, and what would it

entail. Ms. Frick stated HARB and the Historic Commission did go out to the Scammell's property and took what they wanted within the last year; however, she does not know what they took or what they did with it.

Ms. Karen Friedman stated they could make this one of their recommendations of things to accomplish over the next ten years; and if they turn the Library into a Community Center, there could be a small area that would house the historic items which would not cost anything. Mr. Dickson stated this would have to be delineated.

Ms. Karen Friedman stated she has found that some of the phrases or sentences are too verbose, and at the end of the process, she would like the verbiage to be tightened. Ms. Gail Friedman stated editing is fine and other Municipalities have done this. Ms. Wolff stated they could include these edits in the second draft.

There was discussion on the next meeting when the Comprehensive Plan will be discussed, and Ms. Wolff stated for next month they would like to present the Energy Chapter and Planning for Surrounding Communities. She stated they also want to discuss further the Land Use maps that were provided previously.

There being no further business, Mr. Dickson moved, Mr. Bush seconded and it was unanimously carried to adjourn the meeting at 10:10 p.m.

Respectfully Submitted,

Dean Dickson, Secretary