

TOWNSHIP OF LOWER MAKEFIELD
PLANNING COMMISSION
MINUTES – FEBRUARY 9, 2015

The regular meeting of the Planning Commission of the Township of Lower Makefield was held in the Municipal Building on February 9, 2015. Chairman Pazdera called the meeting to order at 7:40 p.m.

Those present:

Planning Commission: John Pazdera, Chairman
 Dean Dickson, Vice Chairman
 John Tracey, Secretary
 William Clark, Member
 Karen Friedman, Member

Others: Steve Ware, Keystone Municipal Services
 Dobby Dobson, Supervisor Liaison

APPROVAL OF MINUTES

Ms. Friedman moved and Mr. Dickson seconded approval of the Minutes of July 28, 2014 as written. Motion carried with Mr. Clark and Mr. Tracey abstained.

Mr. Dickson moved and Ms. Friedman seconded approval of the Minutes of August 25, 2014 as corrected. Motion carried with Mr. Clark and Mr. Tracey abstained.

Mr. Tracey moved, Mr. Dickson seconded and it was unanimously carried to approve the Minutes of December 8, 2014 as written.

Mr. Dickson moved and Ms. Friedman seconded approval of the Minutes of January 12, 2015 as written. Motion carried with Mr. Pazdera abstained.

DISCUSSION OF PROPOSED DRAFT HARB ORDINANCE AMENDMENT AND RECOMMENDATION TO THE BOARD OF SUPERVISORS

Ms. Friedman stated what is proposed seems to be a minor change. Mr. Pazdera stated on the bottom of the first page it references that all members of HARB shall serve terms of four years; however, in the old version it said all members of HARB other than the Building Inspector, and he asked if the intent of the Amendment was also to have the Building Inspector's position be a four-year term. Mr. Ware stated this was drafted by Mr. Koopman. Mr. Dobson stated the only change that was being

proposed was that the Building Inspector not be required to be a Township resident. He stated he does not feel the Building Inspector's term was to be a four-year term. Mr. Pazdera stated he feels this was something that was inadvertently left out, and Mr. Dobson agreed and stated they should let the Township solicitor know that this should be corrected.

Mr. Dickson noted there is also a correction to be made on Page two, first paragraph, third line from the bottom should be "licensed" not "licenses."

Ms. Friedman noted the Title on Page1 "Building Inspector" is typed twice, and it was agreed that this should be corrected.

Mr. Stephen Heinz, 1355 Edgewood Road, stated while he has not read the Ordinance, he was a long-time member of HARB. Mr. Heinz stated he feels this involves an area where a lot of building is going on, and he believes some mistakes have been made. He stated he is concerned with the constituency of the Historical Architectural Review Board. He stated he understands that on most HARB Boards, the members are all Township residents; and if there were any consultants they were to lend their expertise, but the final vote would only be residents of the Township. He stated during his tenure on HARB, the Building Inspector did not vote. He stated since then they have gotten an architectural consultant from outside the Township, and he feels it is important to address this issue. He feels they can be a consultant; but because they are not Township residents they should not have a vote on the Board.

Mr. Ware stated he was at the HARB meeting last month, and Rich O'Brien from Keystone was there and will be attending those meetings; and he did not vote on anything they did last month. Mr. Heinz stated Mr. Habgood never voted, and Mr. Ware agreed and stated he does not feel that person should vote.

Mr. Pazdera stated he is not sure how the rest of the Ordinance reads, and the only piece they are considering is that they are changing the name from Code Enforcement Officer to Building Inspector.

Mr. Heinz stated he also feels that they should discuss what the criteria are for making judgments on the HARB Board. He stated when he was on the Board they tried to make sure that only historic and aesthetic information was addressed and considered, and financial investment or background information that had to do with the structure itself was only supportive evidence but never really part of the consideration about the determination of whether it was historically correct. He feels this might be something that should be clarified in the Ordinance.

Ms. Friedman asked Mr. Heinz if he feels the Ordinance is not holding up the standards of what they need it to do. Mr. Heinz stated he has heard from other architects that deal with HARBs that their Ordinances have been updated and made stronger over the last twenty years in order to make sure that the purpose for which it was adopted would be followed through. Mr. Heinz stated in Lower Makefield the TND was established to preserve the historic context, and since then three to four houses have been torn down. He stated he feels the Lower Makefield Township Ordinances need more "teeth."

Ms. Friedman asked if Mr. Heinz is suggesting that the TND is not able to secure the properties the way he originally expected; however, Mr. Heinz stated the TND clearly states that the work needs to be reviewed by HARB, but the review is taking place after the approval of the Plans/Planning Modules so they already have the locations of the buildings, driveways, plantings, and street lights, and he feels HARB should be dealing with those things according to the historic standards.

Ms. Friedman stated it seems that the problem is not with the Ordinance, rather it is the timing of when HARB gets involved in the process. Mr. Heinz agreed. He stated when he was relieved of his HARB duties, he was in the midst of coming up with an outline of the process which he feels is the most critical thing to address.

Ms. Friedman asked if a letter should be sent to HARB from Mr. Ware telling them when a project involving HARB will be on the Planning Commission Agenda so that they can be involved at the beginning of the process, and Mr. Heinz stated he feels this would be helpful. Ms. Friedman stated the EAC often attends the Planning Commission meetings at the beginning of the process.

Mr. Ware stated last month when the HARB and PC meeting were both taking place on the same night, developers were making an informal presentation to both HARB and the Planning Commission. He stated anyone who wants to get on the Planning Commission Agenda or the HARB Agenda have to go through him so they could coordinate this such that you would have to come to a Planning Commission meeting to see the informal presentation of what would be a HARB project. Mr. Heinz stated while this is a step in the right direction, his broader plan for the process would be consideration for certain things at certain times. Mr. Ware stated he feels it would be helpful if everyone who is a stakeholder is advised when there is a matter going before the Zoning Hearing Board, HARB, or the Planning Commission; and when the Agendas are decided for these Plans if there are things that relate to HARB, they could be sent an email. Ms. Friedman agreed that if there is an item that relates to HARB on the Planning Commission Agenda, they should be advised of this so that they can send a HARB member if they wish.

Mr. Dickson moved, Ms. Friedman seconded and it was unanimously carried to recommend to the Board of Supervisors approval of the Amendment with the following changes: 1) Page 1 – Delete seconded “Building Inspector” in the Title, 2) Page 2 first paragraph third line from the bottom change “licenses” to “licensed,” 3) Bottom of Page 1/top of Page 2 should indicate that terms are for four years with the exception of the Building Inspector.

Ms. Friedman asked that the Planning Commission review the HARB Ordinance at a future meeting.

COMPREHENSIVE MASTER PLAN UPDATE DISCUSSION

Mr. Ware stated he contacted the County, and they are still working on this; and what they were waiting for is what Ms. Friedman discussed in her e-mail of 1/24/15. He stated they also mentioned the maps which the Planning Commission does have. Ms. Friedman stated they were not going to address the maps until they had the final copy in place, and then the maps would be placed accordingly.

Mr. Ware stated if the Planning Commission can get the language resolved, at the next meeting the County could come back in.

Ms. Friedman noted Page 18, second paragraph and it was agreed that it should read: “The U.S. Army Corps of Engineers, a Federal agency, has adopted regulations...”

Ms. Karen Friedman asked about the addition of pickle ball courts as a recreation activity which is a popular activity in other areas and is popular among older residents. Ms. Friedman stated it is similar to tennis but uses a smaller court. Mr. Ware stated it is also becoming popular with school children in the area as well. He added it does not take up much space. It was agreed to add to Page 86, second paragraph from the bottom “... athletic fields for community sports leagues, and pickle ball courts.”

Page 124 was noted, and it was agreed to add under Fire Protection the following: “3) Township should partner with the Fire Company to develop an ongoing plan to acquire new volunteer firefighters.”

Ms. Friedman noted the Hazard Mitigation Section and after discussion it was agreed to add #8 at the top of Page 126 as follows: “8. Consider establishing an arrangement with local ham radio operators to supplement communication throughout Township in the event of an emergency.”

There was discussion about Ms. Friedman's additional recommendation in her e-mail of 1/24 regarding an additional item to be included about assessing preparedness of communication, evacuation, and safety measures in the event of technical grid black-out conditions or public health threats due to an act of terrorism. Mr. Pazdera stated there may already be items related to this in the existing Emergency Operation Plan, and Mr. Ware agreed this may already be in that Plan. Mr. Dickson stated if it is not covered, then they should consider this. Mr. Ware agreed to look into this, and he will e-mail the Planning Commission what he finds out.

Ms. Friedman noted her final comment was whether there should be a list of the Township Ordinances with dates of inception in the Appendix of the Master Plan for reference purposes. Mr. Ware showed a book of 700 pages of Ordinances which does not include the newest ones. He stated they are all on-line, and they are down-loadable. He stated he has never seen a listing of Ordinances in the Appendix of a Comprehensive Plan. He also noted that the list of Ordinances is constantly changing, and the Web version of the Ordinances is more up-to-date than the codified book.

Mr. Heinz asked if they have considered the expansion of emergency communication to the general public, and Mr. Ware stated they are going to look into the Emergency Plans. Mr. Pazdera stated he already gets notifications when the Township issues a state of emergency. Mr. Dobson stated if you sign up for Ready Notify you get all of these alerts, and it tells you how to sign up for these on the Township Website.

There being no further business, Ms. Friedman moved, Mr. Tracey seconded and it was unanimously carried to adjourn the meeting at 8:30 p.m.

Respectfully Submitted

John Tracey, Secretary