

TOWNSHIP OF LOWER MAKEFIELD
PLANNING COMMISSION
MINUTES – JUNE 13, 2016

The regular meeting of the Planning Commission of the Township of Lower Makefield was held in the Municipal Building on June 13, 2016. Chairman Tracey called the meeting to order at 7:30 p.m.

Those present:

Planning Commission: John Tracey, Chair
 Dawn DiDonato-Burke, Vice Chair
 Chad Wallace, Secretary
 Charles Halboth, Member

Others: Steve Ware, Keystone Municipal Services
 Barbara Kirk, Township Solicitor
 Mark Eisold, Township Engineer
 Michael Shinton, Township Traffic Engineer
 Judi Reiss, Supervisor Liaison

Absent: Dean Dickson, Planning Commission Member

APPROVAL OF MINUTES

Mr. Wallace moved and Mr. Halboth seconded to approve the May 9, 2016 Minutes as written. Motion carried with Ms. Burke abstained.

Ms. Burke moved and Mr. Halboth seconded to approve the May 23, 2016 Minutes as written. Motion carried with Mr. Wallace abstained.

DISCUSSION AND RECOMMENDATION ON DRAFT O/R (OFFICE/RESEARCH DISTRICT) TEXT AMENDMENT

Mr. Bob Dwyer was present and stated this matter is on the Board of Supervisors' Agenda for Wednesday night for discussion, but no vote will be taken by them until July at the earliest.

Mr. Dwyer stated he had previously provided a binder including the Exhibits as well as some other documents. He stated those same documents have been provided to the Board of Supervisors as well. He showed an aerial showing the location of the property and its proximity to Edgewood Village which was important in their decision on how they should approach this property.

Mr. Dwyer stated he was present several years ago and worked with the Planning Commission in the effort to re-do the Comprehensive Plan which was recommended in 2014 to the Board of Supervisors, although the Board of Supervisors has not yet acted on it. Mr. Dwyer stated the Planning Commission at that time had endorsed a draft Comprehensive Plan which supported the concept that something needed to be done with the O/R District which is primarily along Township Line Road where all the office parks are. Mr. Dwyer stated his client owned the Lower Makefield Corporate Center and Floral Vale for over thirty years and was the largest taxpayer in the Township until a few years ago when the vacancy rate was so high that they lost title to the Corporate Center. He stated it is now owned by the bank and being handled by AIG who currently control the Corporate Center and are supportive of this effort because they are seeing firsthand the problems that come with high vacancy rates. Mr. Dwyer stated AIG believes that this proposal will be helpful to them by creating a bridge between the Corporate Center and Edgewood Village. He stated this bridge is figuratively and literally since they intend as part of this proposal to install a pedestrian connection between the proposed project and Edgewood Village to help create some synergy between the Corporate Center and Edgewood Village. Mr. Dwyer stated the owner of the Flowers Field project also supports this project. He stated Flowers Field is struggling to emerge as a mixed use Retail Center in Edgewood Village. Mr. Dwyer stated he has also been told that Mr. McCaffrey is supportive of this proposal.

Mr. Dwyer stated the proposal is currently Residential; however, at the last meeting with the Planning Commission there was some discussion about Retail which he would be willing to discuss this evening as well.

Mr. Dwyer stated the exhibit he has presented shows how close their property is to Edgewood Village, and they would be required as part of their proposal to build a connection between the bike path that is currently along Township Line Road directly into the Village to allow pedestrians and bikers to get around. He stated those who would live in the apartments to be built could live, work, and play within walking distance.

Mr. Dwyer showed an exhibit of the bike path connection that they would propose to install. He stated their traffic engineer has looked at the cross section of the road that goes from the property under discussion, over I-95, and along Stony Hill Road which would tie into Flowers Field. He stated this will require PennDOT approval, but he feels it is technically feasible to do what he is talking about in a way that PennDOT has accepted in the past. He stated this would be a costly undertaking and would require working with PennDOT, but they believe that it would be a safe accessible addition along Stony Hill Road. He showed a trail in orange on the exhibit which is consistent with the March Associates Historical Study for Edgewood Village which was done in 2000, and it is where they had proposed a trail connection.

Mr. Dwyer stated he is suggesting that any re-Zoning that would allow for their property to be re-Zoned would be mandated upon them installing the path and that anyone else would be required to do something similar which would be a significant contribution for a pedestrian connection that would help Edgewood and the Corporate Center. Mr. Dwyer stated this is pretty consistent with what the Bucks County Planning Commission had put in their draft study that the Township Planning Commission reviewed although the Board of Supervisors has not endorsed it. Mr. Dwyer noted that the binder he provided has a number of comments from the draft Planning Commission report that suggests why this is consistent with the recommendations.

Mr. Tracey asked if the Township traffic engineer has reviewed Mr. Dwyer's traffic engineer's report. Mr. Dwyer stated the Township changed their traffic engineer in the last six months. He stated it was previously Gilmore, and it is now Traffic Planning & Design. Mr. Dwyer stated Mr. Phil Worsta who is now the Township's traffic engineer, has a copy of the report; but he has not written a review of it. Mr. Dwyer stated he believes that before the Board of Supervisors takes any action, they will want a full review. Mr. Dwyer stated the report that they submitted does show that there will be a reduction in traffic when compared to the Office. He stated there will be 764 less trips per day with this proposal than with the Office.

Ms. Reiss stated Mr. Dwyer was going to find out how many feet it was from his development to Edgewood, and how long that walk would be. Mr. Dwyer stated it is 2,500' which, according to TND standards, is a walkable distance. Ms. Reiss stated she feels the overpass is two lanes of traffic, and Mr. Dwyer agreed. Ms. Reiss asked if they would be putting in a new overpass; and Mr. Dwyer stated the March Associates Report suggested that the travel lanes be reduced from 11' to 10' which would slow down the traffic. He stated you would narrow the lane, and then shift the center line over and provide a significant shoulder on one side that would provide for a trail, and the other side would have a 2' shoulder. Mr. Dwyer stated while PennDOT will have to approve this, it is consistent with what they have approved in the past.

Mr. Eisold asked Mr. Dwyer if they have had any discussions with PennDOT about this yet, and Mr. Dwyer stated they have not. He stated they would need to have the Township's concurrence before they go to PennDOT on this. He stated he has been involved with PennDOT on similar efforts. Mr. Eisold stated he is not sure how easy this is going to be. Mr. Dwyer stated while he is not saying it is going to be easy, he is saying it is feasible. He stated what he is proposing is a 3' shoulder on both sides and a 6' wide pedestrian path. Mr. Shinton stated they have not reviewed this yet. He stated they reviewed the initial submission which was a Traffic Impact Study in

November of last year, and the Sketch Plan from August of last year. Mr. Eisold stated he does not feel the plans for the path were submitted. Mr. Dwyer stated he felt the Traffic Report had a copy of this; but if it does not, it was submitted with the re-Zoning request. He stated recently his traffic engineer submitted it again to TPD.

Mr. Tracey asked if there are not more stringent requirements for fencing since it is going over an Interstate. Mr. Dwyer stated they would have to install whatever would be required. He stated they need PennDOT's approval for the whole cross section.

Mr. Shinton asked if McMahan gave an estimate as to what the speeds would be on the roadway after they were finished; and Mr. Dwyer stated while they did not, the March Associates Report suggested that the speed limits through the Village area should be 35 miles per hour. He stated currently the lanes are such that you can travel at much higher speeds especially with the vertical and horizontal geometry that exists there which promotes high speeds. Ms. Reiss stated she is concerned that they are going to be slowing down the traffic when it already takes two to three cycles to get through the light. Mr. Dwyer stated he feels the traffic is slow because of the light and the queuing effect that takes place. He stated you would feel less comfortable speeding on a narrower road. He stated Lower Makefield notoriously has wide streets and 36' wide cartways promote speeding. He stated traffic engineers suggest that you reduce cartway widths dramatically to help slow speeds especially through Villages.

Mr. Shinton stated their cross section that they have for when you are off the bridge is almost identical to the cross section for the 202 Parkway. He stated if you have ever been on the walking path on the Parkway it is "terrifying" to be that close to vehicles that are going 50 miles per hour. He stated they may want to consider a more comprehensive cross section that would address the speed concerns.

Mr. Dwyer stated he understands that they have a long way to go with the design of this and they need to work with PennDOT; however, he stated the cross section does work, and if they are able to get some concurrence on this, they would develop more sophisticated plans and work with the engineers to come up with a safe cross section. He stated the cross section over the bridge is the tight spot, but beyond that there is probably enough right-of-way that they can acquire if necessary to make it a more comfortable path. Mr. Shinton stated he feels they would want to extend the cross section and town feel that is in the Village, out; so they would want on-street parking, narrow lane widths, and curb. Mr. Dwyer stated they recognize they would have to do everything to meet everybody's standards. He stated this is the missing link that he believes the Comprehensive Plan discussed and all the Boards have looked at trying to get something done to connect these two important areas of the Township.

Mr. Halboth asked the posted speed, and Mr. Dwyer stated he believes that it is 35 miles per hour. Ms. Kirk stated it is split; and from Yardley-Langhorne Road up to the start of the bridge it is 35, and as you go over the bridge and down into Township Line it is 45 miles per hour. Ms. Reiss stated they tend to be going faster if they are coming from Township Line Road than in the other direction. Mr. Dwyer stated the further you can see and the wider the road, the faster you usually go. He stated if they narrow the roads and put parking on the roads, people will go slower.

Mr. Dwyer showed the Site Plan adding that since it was designed over a year ago, they have received comments asking for a second access. He showed the surrounding roads and the entrance to Shady Brook. He stated the site was approved for a 180,000 square foot office with one entrance which he showed on the Plan. He stated they have been unable to find anyone interested in the office. He stated since the Plan was designed, there has been a request for another access point. Mr. Dwyer stated the proposal is to have 192 apartments. He stated it would have a club house and a pool. He stated they would be one and two bedroom units which would service empty nesters, hopefully people who work at the Corporate Center, and anyone who lives in the Township and wants to downsize. He stated there is a demand for apartments, and the vacancy rates for apartments are very, very low. He stated they recently built a project similar to this in New Britain Township, and he showed a rendering of that development. He stated what they are proposing would be less of a scale than the approved Office. He stated in order for this project to work, it would have to be approximately 200 units, and they are requesting 192 units. Mr. Dwyer stated at the New Britain project they have 220 units on fifteen acres compared to the Lower Makefield parcel which is fifteen acres as well with 192 units proposed.

Mr. Tracey stated he feels at best the proposed bridge is a question mark even though it could be an asset. He stated there is constricted access to begin with, and to create a safe environment for people walking or cycling over an Interstate he feels Mr. Dwyer needs to get more detail as to what would be involved in order for that to happen. He stated there are also concerns about the changes proposed for this Zoning District. He added that Ms. Kirk did provide them copies of the Ordinance which lists the uses which are currently approved. Mr. Tracey stated he understands the value of development and people making reasonable use, but it seems they have the “cart before the horse.” Mr. Tracey stated he feels they are proposing to put this use in a place which he does not feel is conducive for safe usage. He stated he feels since it is so close to I-95 most of the people who would live in this apartment complex would either be commuters into Philadelphia or Mercer County; and he does not feel it is a reasonable assumption that the people who would be moving in there would be likely candidates as owners or part owners of the office buildings. Mr. Tracey stated he feels the Township will be impacted in

a way that would not necessarily be helpful. He stated while he likes the fact that they want to connect this to Edgewood Village, he does not feel this parcel is conducive for that.

Mr. Dwyer asked Mr. Tracey if he would be more in favor of Retail. Mr. Tracey stated he was thinking more about the people who would live in the apartments. He stated unless the bridge were to become an attraction, those living in the apartments would be confined there; and the only way out would be a motor vehicle. Mr. Dwyer stated he feels it is a big assumption that those living there would not use the trail if it were designed in a way that the Township and PennDOT approved which is safe. Mr. Dwyer stated he feels it would have been presumptuous to go to PennDOT with a detailed plan without having some level of Township acceptance, and he does not feel PennDOT would even review it without that. Mr. Dwyer stated he feels the Township would have been offended if he had gone to PennDOT without talking to the Board first.

Mr. Tracey stated the traffic engineer has raised some concerns, and he feels those need to be investigated. Mr. Tracey stated in order for the proposal to work, the trail must work. Mr. Dwyer stated he would not be able to comply with the Conditions under which the proposed Ordinance has been drafted without the connection. Mr. Tracey stated before he can even do that, the Board of Supervisors would need to approve the change to the O/R. Mr. Dwyer stated if they approved the change, he would then be required to go to PennDOT to get their support and get the Township's support for a trail system that would be safe to get from Point A to Point B. He stated if he were not able to do that he would have to come up with an alternative which would work.

Ms. Reiss stated this parcel is across from Shady Brook Farm and people in the Township have complained about the noise, lights, and the traffic generated by the various events at Shady Brook Farm. She stated this parcel will have I-95 on one side and the noise and traffic that Shady Brook brings, and she is concerned they will build these apartments and people will be there a year and never renew their Leases and it will be 30% to 40% vacant. She stated she did make some calls and there are vacancies at the other apartment complexes. Mr. Dwyer stated some of the things about Shady Brook Farm may be attractive to some people. Ms. Reiss stated as a Supervisor she is concerned that she will be getting phone calls about this from people. Mr. Dwyer stated he did speak to Mr. Fleming who was concerned about people who may complain, and Mr. Dwyer stated this is not a condominium which people are buying; and those in the apartments could leave in twelve months as it is a transient type of use. Mr. Dwyer stated they would typically provide a full disclosure for their renters about the activities taking place at Shady Brook Farm. Ms. Reiss stated many people sign things that they do not read; and once they are living there and experiencing all these things, she feels it is a potential for a problem.

Mr. Dwyer noted that there are existing apartment complexes in the Township that back up to I-95 so that is not necessarily a negative for an apartment. He stated he knows that the single-family homes at Flowers Fields are having a difficult time selling because they back up to I-95; and until Edgewood Village develops and emerges into something more exciting, there are not going to be many buyers for the homes at Flowers Field. Mr. Dwyer stated his hope is that if they put people in the apartments and give them a path to walk to the Village, they will walk there; and it will gradually help create a little “cache” for the Village to the point where tenants will want to be there as well. Mr. Dwyer stated they have done market studies, and there are not enough apartments in the region and not enough people walking into the Village; and their proposal would help that.

Ms. Kirk stated what the Planning Commission is considering are the proposed amendments to the Ordinance. She stated what Mr. Dwyer is showing is a conceptual plan being offered in support of those proposed amendments; but that does not mean that if this Ordinance is passed, it is going to be the ultimate plan presented by the Applicant, and it could change. Mr. Dwyer agreed. He stated what they are proposing is a Conditional Use, and they would be required to get the Conditional Use approval and come in with a Plan with more details to be reviewed by the Planning Commission, the consultants, and the Board of Supervisors before it gets Conditional Use approval. Mr. Dwyer stated it would then need to go through the Land Development process. He stated they developed this Plan just to provide an image of what approving the Amendment could look like. He stated they have actually done this project in New Britain and photographs of that development had been provided.

Mr. Tracey asked Ms. Kirk if the proposed change would be specific to this parcel or would it be for any O/R parcel. Ms. Kirk stated her office is still doing the research as to whether or not this would be Spot Zoning as to the fact that the walking distance between the proposed property and Edgewood Village is 2,500'. Ms. Kirk stated the Applicant's attorney has provided their view of their research to say it is not Spot Zoning, but her office is still finishing their research. Ms. Kirk stated if it is specific to this parcel only, then it may be construed as Spot Zoning. Ms. Kirk stated even though the requirement in the Amendment says the walking distance must not exceed 2,500' oftentimes people will then go to the Zoning Hearing Board to get relief from that requirement which could in effect open it up to the entire O/R District.

Mr. Dwyer stated the Zoning Hearing Board is obligated to follow the rules and render decisions on that and whether a hardship exists.

Mr. Tracey stated there is a certain degree of awkwardness in all of this since currently the proposal is specific as to the 2,500' radius, and a future developer could come in and ask for a Variance from that. Mr. Dwyer stated anyone can ask for a Variance from anything, and the question is whether or not it is legitimate and passes the hardship test and whether or not it can be sustained in a Court. Ms. Kirk stated Mr. Dwyer is talking about someone coming in for a Use Variance; and if this Ordinance Amendment is approved, it would not be a Use Variance being requested, but a Dimensional Variance that could be requested for which the burden of proof and standard is less for a Dimensional Variance than it is for a Use Variance.

Mr. Dwyer stated this would be a criteria for a Conditional Use Application that the property be a certain distance within Edgewood Village.

Mr. Eisold stated they are proposing one and two-bedroom units. He asked if the Amendment in the proposed Ordinance change indicates that they can only be one or two-bedroom units, and he asked what would prevent someone with coming in with three or four-bedrooms; and Mr. Dwyer stated it does not. He stated he does not feel they could legislate how many bedrooms there are. He stated it could be a Condition of the approval that a Conditional Use is required. Ms. Kirk stated that is why she was pointing out what is in front of the Commission is not this specific plan, and the Planning Commission needs to consider the ramifications. Mr. Eisold agreed that they have to look at what other possibilities could exist if they approve these changes. He stated they may get something much different than what the pictures are showing.

Mr. Eisold stated he read through the Fiscal Impact Analysis and he feels the number of school-age children seems low for the number of units. Mr. Dwyer stated they relied on a school-age study, and most School Districts in the Commonwealth use the same enrollment calculation as they proposed. Mr. Eisold stated there may be certain situational characteristics that may not have it come out the way these charts say it will and a lot of it has to do with the School District and the cost and size of the other homes in the Township. Mr. Eisold stated he finds it difficult to believe that there will be that few children; and if they increase that a little bit, the Fiscal Analysis will look totally different. Mr. Dwyer stated no matter what happens with the number of school-age children, the fiscal impact to the Township is still positive since that would be a School District impact. Mr. Dwyer stated Polo Run has similar numbers to what they are talking about. Mr. Dwyer stated he agrees if they were three bedrooms, they would have more families; however, they are not looking to put three-bedroom units at this locations. Ms. Reiss stated there are enough children at Polo Run to have a minimum of two bus stops just for the Elementary School, one morning and three afternoon runs for the Middle School,

and the High School that has one morning and three afternoon runs. Ms. Reiss stated at Makefield Glen for the two-bedroom units, they fill an entire bus in the afternoon which does not include the children staying for after school care.

Mr. Dwyer stated this is not a study they made up, and any planner in any Township in the Commonwealth uses the Rutgers Study as do the School Districts. Mr. Eisold stated they are just saying in reality, it does not seem that it is going to work. Mr. Dwyer stated while it may result in more children, there would still be an increase in the tax ratables compared to what they are getting today which is approximately \$2,000 to \$3,000 a year versus the significantly more net dollars they will get if it is developed. He stated the property is not bringing any value to anyone other than open space.

Mr. Wallace asked about the traffic impact; and Mr. Dwyer stated the traffic report shows that there will be 793 less trips per day with this proposal when compared to the approved Office. Ms. Kirk noted they do not yet have a review on this from the Township traffic engineer, and Mr. Dwyer agreed adding they are waiting for that.

Ms. Kirk asked about the parking requirements, and asked how they determined that they needed 1.87 off-street parking units per dwelling unit; and Mr. Dwyer stated it is a standard used for one and two-bedroom units. Ms. Kirk asked if it would not make more sense to do two per unit since they will most likely have two vehicles per unit, and Mr. Dwyer stated there will be single people in the one-bedroom units. He stated while planning studies indicate 1.8 would be sufficient, their plan does show two per unit.

Mr. Dwyer stated there was previous discussion about the possibility of a Retail use at this location or other alternatives, and he stated he would be willing to listen to any suggestions. Ms. Burke stated she does not like the Residential use, and would be in favor of Retail.

Mr. Halboth stated he feels with regard to a Residential development at that particular location, the word that comes to mind is “orphan.” He stated he does not feel that it fits there. He stated Mr. Dwyer has stressed the point of technical safety of the walkway between the development and Edgewood Village, but he also feels they need to consider the aesthetic attractiveness of that walkway. He stated if people perceive that it is not safe, whether it is technically safe or not, they are not going to use it. He stated he feels strongly that they do not have the space there to give people a perception of comfort and safety in that walkway. He stated he does not feel the proposed development has any synergistic impact at all with respect to what is at Edgewood Village now or what may be there in the near future.

Mr. Dwyer stated he does recognize that the crossing is narrow and will be a challenge, but PennDOT has approved similar projects in the past although he has not gone to them yet.

Mr. Halboth stated if the development of this area was dealt with on a little bit larger scale, it may work; but he feels this is an isolated island which does not feel right.

Mr. Dwyer stated there is synergy with apartments, retail and office; and you will find examples of this all across the Country. He stated this is not an island, and it is a spot in the middle of Edgewood Village and Shady Brook Farm which could create synergy by completing the circle.

Mr. Halboth stated he feels Shady Brook is a garden center, and the residents of these apartment would have a minimal reason to go there except for limited groceries and ice cream. Mr. Dwyer stated he feels this is a transitional spot that is in close proximity to Edgewood Village which could be helpful.

Mr. Dwyer asked if Mr. Halboth felt that straight Retail would be better there. Mr. Dwyer stated he feels only Residential or straight Retail would work. He stated he does not feel it would work with a mixed use because it is too small. He stated he feels the Township would want this to be successful so there is not a “white elephant” which is what they are going to have with the Corporate Center if something does not happen quickly because of the vacancy rates in Suburban Office space. Mr. Halboth stated while he appreciates that point, he does not feel the proposal would materially assist that situation either. Mr. Dwyer stated if there are people who are walking along the trail to and from the Village, it creates excitement and people on the streets which is important to vendors and an amenity for the region that corporations will like. He stated currently other than this area, no one knows about Edgewood Village. He stated Edgewood Village needs people to walk to it to create excitement and that is what he is proposing.

Ms. Reiss stated she feels there is a disconnect, and she questions who would be the tenants in the Office building; and she assumes they would be lawyers, etc. She stated she feels they should be going to high-priced office buildings in New Jersey and asking them to come to Lower Makefield. She stated currently the commute is from Lower Makefield to Princeton and South Brunswick, and they should be convincing those companies to rent space in Lower Makefield. She stated she does not feel they would come here because of the proposed apartments. Mr. Dwyer stated they have owned this for thirty years and talked to tenants who leave during their exit interviews, and there is a significant concern about not having housing or amenities for breakfast, lunch, or a drink close by.

Mr. Dwyer stated the proposed use would provide people for the Village which would make it an amenity. He stated they recognize that lawyers will not be living in these apartments, rather it would be their staff people. He stated Equus owns millions of square feet across the County, and they have tried to attract tenants and did everything necessary; but the region is not aggressive in trying to attract people to a Suburban office, and they are going to attract them to areas where there are train stations. He stated young people do not get licenses, and they want to live, work, and play close to a train station. Mr. Dwyer stated since they do not have a train station, they have to do something to make this area better; and this is his proposal to try to create something to go on in the Village and for the Office center.

Mr. Tracey stated he feels AIG should consider first floor Retail space. He stated expecting people to walk to Edgewood Village for lunch may not be the best plan. Mr. Dwyer stated if they would drive to Edgewood Village it would be better than no one going there at all. He stated currently Edgewood Village does not have the tenants it needs there, and nobody is going there. Mr. Dwyer stated he feels converting the first floor to Retail would require a re-Zoning, and it would negatively impact Edgewood Village since they would be stealing those potential tenants. Mr. Dwyer stated he is trying to look at this holistically since Edgewood Village needs more customers, and the Corporate Center needs some housing; and this is a spot that would be a helpful connection to both of them. Mr. Dwyer stated at the time of the March Associates Study, the group that developed that Study in 2000 which included residents, stakeholders, and professionals felt Edgewood Village as a Retail center would be helpful to the Township. He stated he has heard Edgewood Village referred to as the “hub” of the Township; and if it is to be this, they need to feed it, and the way to do this is to put people in the street and give it some interconnectivity to some of the higher density uses such as the Corporate Center and a higher-end apartment complex.

Mr. Tracey stated the problem with Edgewood Village now is that it is a “pinch point,” and traffic is backing up. He stated there are also people making left turns. He stated he can see where walking makes more sense if there is an office nearby, but this is a change that would be an assumption; and he is not sure whether or not that would happen in reality. Mr. Dwyer stated he knows that the Traffic Report has not been looked at yet, but certain improvements will be necessary in certain areas; and there may be improvements in Edgewood Village that would help the traffic get through there. He stated if you are driving through an area that is not particularly exciting, you do not want to get stuck there; but people do not mind driving through a place like Newtown because it is interesting. He stated people do not mind slowing down through Villages, and cars should be slowing down to make it worthwhile.

Ms. Kirk stated the Planning Commission can make a recommendation as to whether or not they would recommend approval of the proposed Ordinance subject to final legal review regarding the spot zoning issue or could make a recommendation to not approve it. She stated they could also make a recommendation to further consider it without Residential so there are options. She stated she understands the Board of Supervisors will begin taking Testimony on this proposed Amendment, but no formal action will be taken until the July meeting.

Ms. Burke moved, Mr. Halboth seconded and it was unanimously carried to recommend to the Board of Supervisors that the Text Amendment to the O/R Zoning District as submitted by Edward Murphy, Esquire, attorney for Capstone Village, not be approved in the form as presented.

Ms. Burke stated she feels Retail would be a good idea.

Ms. Kirk stated the O/R does allow a hotel as a Conditional Use, and many hotel properties provide for extended stay; and possibly a combination of that with Retail to generate people walking could be considered. Mr. Dwyer stated that is something that they have looked at, and if there were a Liquor License it would make it a little more palatable. Mr. Dwyer stated the owner of this property does own hotels, and they have looked at everything possible. He stated even if it had a Liquor License it would be questionable. He stated demographically it would not support a hotel, and he added that there is a hotel already down the street. He stated they have tried to generate interest even in industrial uses, and no one was interested in it for industrial or office; and it was only narrowed to Retail or Residential, but not mixed use. He stated Shady Brook across the street would be a perfect mixed use since that would be big enough to handle that, but fourteen to fifteen acres cannot support a mixed use. Mr. Dwyer stated he would be interested in discussing Retail with the Township if this is something that they would like since that would work at this location. He stated they could put in a Whole Foods or Trader Joe's at this location or something like that. Ms. Kirk stated it would be up to the property owner to come up with a proposal. Mr. Dwyer stated he understands that. He stated he did not expect that anyone at the Township was going to be in favor of Retail, and he expected that the apartments would have been more well received than a Retail use. He stated he would be happy to come up with another proposal to be presented depending on how things evolve over the next few weeks.

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

Respectfully Submitted,

Chad Wallace, Secretary