

TOWNSHIP OF LOWER MAKEFIELD  
PLANNING COMMISSION  
MINUTES – JULY 11, 2016

The regular meeting of the Planning Commission of the Township of Lower Makefield was held in the Municipal Building on July 11, 2016. Chairman Tracey called the meeting to order at 7:30 p.m.

Those present:

Planning Commission:           John Tracey, Chairman  
  Chad Wallace, Secretary  
  Dean Dickson, Member  
  Charles Halboth, Member

Others:                             Steve Ware, Keystone Municipal Services  
  Judi Reiss, Supervisor Liaison

Absent:                             Dawn DiDonato-Burke, Planning Commission  
  Vice Chair

APPROVAL OF MINUTES

Mr. Wallace moved and Mr. Halboth seconded to approve the Minutes of June 13, 2016 as written. Motion carried with Mr. Dickson abstaining.

Ms. Reiss joined the meeting at this time.

PRESENTATION ON EDGEWOOD VILLAGE

Mr. Carter VanDyke was present adding it has been a number of years since he was last before the Planning Commission. He stated he was consultant to the Township's Historic Architectural Review Board (HARB) from 2002 to 2011, and in that process they reviewed the Master Plan based on the March Associates Study and expanded upon that. He stated they then developed the Historic District Guidelines for HARB. He stated they then did a series of mini studies trying to implement the Master Plan. He stated as part of this, the Supervisors at that time were willing to let them go into a private/public partnership with a private developer, Cam Troilo, who paid escrow to Mr. VanDyke to provide guidance to HARB and to Mr. Troilo as to how to implement the Master Plan. Mr. VanDyke stated during the recession, the Board decided they did not need him as a consultant.

Mr. VanDyke stated in preparation for tonight's meeting, he asked Mr. Fedorchak if he should do some research to see what had happened over the last five years; and Mr. Fedorchak agreed he should, and Mr. Ware has been very helpful with this. Mr. VanDyke stated he reviewed the Preliminary/Final Plans for Flowers Field and for DeLorenzo's.

Mr. VanDyke stated he was also acutely involved with the property across the street from Flowers Field and helped nurture that. He stated part of the services they provided was to link developers with architects who understood historic preservation, and in this case they recommended Richard Brown Associates in Doylestown who helped work out the details for that corner which was the former gas station and also the barn behind which was initially being proposed as an ice cream parlor. He stated he also worked with architects who did As-Built drawings of some of the historic buildings so that if the Ordinance allowed demolition with renovation, there were As-Built drawings so that they could be replicated.

Mr. VanDyke stated he also reviewed the pertinent Minutes of the Board of Supervisors meetings although he is not certain he has received all of them and many of the Minutes from the Planning Commission meetings. He stated he also reviewed HARB Minutes although some of those were missing. Mr. Ware stated there are still many more. Mr. VanDyke stated there was a lot of information to go through. Mr. VanDyke stated he also reviewed the related Ordinances – the TND Overlay, the H/C District, and the updated HARB Ordinances.

Mr. VanDyke stated he also went through his own records to see what his expectations had been and how they compared to what is being developed in the field. Mr. VanDyke stated he looked at the As-Built drawings for the Heacock House and a Site Plan that was developed for the Messick property which is now DeLorenzo's. He stated he noticed that the Site Plan was fairly similar to what they have now with two exceptions – the Heacock House is not there, and per the Ordinance there was to be on-street parking which is also not there. He stated he was surprised to see that there was not at least the on-street parking as that was an important aspect for traffic calming and to create the character of the streetscape.

Mr. VanDyke stated he also looked at Flowers Field, adding that he brought the original architectural drawings for that which HARB looked at which included the lighting standards which were recommended at that time. He stated the lighting that was installed is not anything that he could imagine that HARB would have approved and are not the lights that were on the engineering drawings which were especially designed so that the light would be cast down.

Mr. VanDyke stated people have questioned why there is a HARB, and he stated he has brought information extrapolated from the National Trust which deals with the administration of Historic Districts. Mr. VanDyke reviewed the benefits to having local Historic Districts including protecting investments in historic properties which can increase property values. He stated properties within local Historic Districts also appreciate at greater rates than the local market. He stated they also encourage better quality design because whatever is done goes through HARB where there is an architect on the Board who can help guide those who cannot afford an architect themselves. Mr. VanDyke stated local Districts also help the environment because they retain and use existing resources which is a wonderful form of recycling. He stated they are also energy efficient.

Mr. VanDyke stated Historic Districts are also a vehicle for education, and he feels the story that goes with Edgewood Village is fascinating. He stated they had one of the first free black people living in a house in the Village. He stated the Village also speaks to what the community was historically which was a farming community, and many of the tenant farmers lived in the Village. He stated they are not the most beautiful buildings, but they are wonderful vernacular buildings typical of Bucks County.

Mr. VanDyke stated Historic Districts can also boost local economies, and well-promoted Districts create a destination where people want to come. He stated he does a lot of work with cultural tourism, and people are looking for authentic sites. He stated Historic Districts can also enhance business investment and recruitment potential, and this is why they have talked about having mixed uses, walkability, and having restaurants. Mr. VanDyke stated in his discussion with the Board of Supervisors he indicated that hopefully there will be a Referendum that would allow liquor licenses so there can be brew pubs and other places where people could meet in the Township. He stated Historic Districts also provide social and psychological benefits, and they give communities a voice in their future giving the community a sense of empowerment and confidence.

Mr. VanDyke stated in reading the comments when there was a joint meeting with HARB there was discussion about demolition by neglect; and he stated he feels that it was written in the TND Ordinance that if you take something down, there are penalties. He stated he has information about this from the National Trust for Historic Preservation, and Mr. VanDyke agreed to provide it Mr. Ware who will make it available to the Planning Commission. Ms. Reiss stated the Board of Supervisors is very interested in making sure that the Township has an Ordinance that will ensure that people who own the properties keep them up, and include what will happen if they do not do so. Mr. VanDyke stated there are a lot of tools for controlling demolition by neglect. He stated information he will provide also

addresses maintenance issues and gives good case law from other States. He stated it also gives good instruction for the HARB to address economic hardship claims, although he feels this is not a problem in Lower Makefield as the people who own them are “speculators.”

Mr. VanDyke stated he brought a hard copy of the power point he presented to the Board of Supervisors. Mr. VanDyke stated in the Historic District HARB was taking a leadership role in terms of the planning, and it was their purview to do the Master Plan. He stated he then came and made presentations before the Planning Commission to provide updates of the work that HARB was doing with the developers.

Mr. VanDyke reviewed their accomplishments including the Inventory of the Historic District in 1981, obtaining Certified Local Government status, and obtaining National Historic Landmark District status which is coveted adding not that many communities have this. He stated the Guide to Historic Landmarks was developed in 1999, and March Associates developed their report in 2000. He stated in 2003 they did the Design Guidelines, and Lower Makefield updated its Master Plan in 2004 which incorporated a lot of this information. He stated they developed Zoning Amendments in 2004 and Street Design Guidelines in 2005. Mr. VanDyke stated the Ordinance Amendments included Zoning Ordinance Amendments which is the TND Overlay, Historic District Guidelines, Subdivision and Land Development Ordinance revisions which applied to the TND, and new Administrative forms. Mr. VanDyke asked if the Township was still using those forms; however, Mr. Ware indicated he was not sure if he has seen all of them. Mr. VanDyke stated part of it was to create transparency for people who have historic buildings. Mr. VanDyke asked that Mr. Ware send him what he has so he can see if they are current.

Mr. VanDyke showed an example of the Historic District Guidelines and the Street Design Guidelines which were done in concert with PennDOT.

Mr. VanDyke stated they also developed goals which included historic preservation, appropriate infill development, mixed use development, streetscape improvements, traffic calming, walkable communities, and creating the Village as a destination.

Mr. VanDyke noted pictures of the existing conditions and the gateway sign concept and where they would be located to let people know that they are entering Edgewood Village. Mr. VanDyke stated when he was working with the Township the members of the community wanted to get input from banks and institutions who would make a donation for signs, and they got costs to do signs. He stated there are also Grants for this; however, they were not authorized to pursue this.

Mr. VanDyke showed pictures of streetscape improvements. He stated there are a lot of sophisticated movements dealing with traffic calming at some of the key interchanges. He noted the pictures showing transition speed zones which is something used in other locations. He stated he discussed traffic calming with the Board of Supervisors when he was at their meeting a few weeks ago. He stated the Township traffic engineer understood that they need something such a chicane to slow people down coming over the bridge into an area where there will be on-street parking. Mr. VanDyke stated they planned all this ten years ago, and now is the time for the Township to partner and develop the Grants necessary to work this in. Mr. VanDyke stated he was concerned about the corner of Edgewood and Langhorne-Yardley Road as he saw one sketch where someone wanted to change the orientation of the road behind the historic building on the corner which would change the fabric of the community from a historic point of view. He stated they had looked at this previously and felt that the simple solution would be to put a stop sign on Langhorne-Yardley Road when it comes to that intersection so people can negotiate the corner. He stated they had done a plan for Messick and showed a Y there so that there would be a little island so that you could see better. He stated once the crosswalks and the stop sign are in this would be an easy fix.

Mr. VanDyke noted pictures for the Messick Commercial Development which they were working on at the time he was involved with the Township, and he stated this is very similar to what was recently approved except this picture shows the Heacock House. Mr. VanDyke stated it was difficult for HARB to accept the concept of reconstruction because there are such limited resources in the community.

He stated he showed them pictures which are included in the information he is providing in the power point presentation of a replication of a structure in Doylestown Borough.

Mr. VanDyke stated he did read Minutes from a meeting of the Board of Supervisors who insisted that there should be a sign that would go in front of the remnants of the Heacock House indicating that the House was to be replicated. He stated it was not given a Demolition Permit – it was given a Replication Permit. He stated he understands that there were discussions with the attorney about this, but he could not find any Findings of Fact about this. Ms. Reiss asked when this was discussed, and Mr. Ware stated it was in 2015. Mr. VanDyke stated during the Hearing of 2005 when the Supervisors approved the Demolition for Replication, the attorney was Mr. Edward Murphy. Mr. Dickson stated he had a discussion about that, and Mr. Murphy had indicated that there was no Deed Restriction; however, Mr. Dickson stated he had advised Mr. Murphy that it violated the Ordinance. Mr. VanDyke stated it does not have to have a Deed Restriction, and it is an issue of what the Supervisors approved which is the law; and the administration of that law is the Township.

Mr. VanDyke stated Historic Preservation improves and enhances property values, brings more money into the Township, and creates diverse housing stock.

Mr. VanDyke showed a picture of the Sketch his office developed in partnership with the developer of Flowers Field. He stated in this case it was difficult for HARB to agree to a higher density but this was necessary to maintain the quality of the development that they were seeking. He stated they were looking for HARB to be very strong in preserving the historic character of the buildings, the scale, and the material finishes.

Mr. VanDyke stated they also looked at infill development, and he showed pictures of structures in Newtown and Lahaska.

Mr. VanDyke brought this evening documents which they developed with HARB and Mr. Troilo's architect for the residential elements that DeLuca is now building. He stated they had specific guidelines included which came out of the Ordinance. He stated what is being built is not quite up to the documents he presented this evening, and he stated whoever is enforcing this is not doing their job.

Mr. Tracey asked when the drawings were developed, and Mr. VanDyke stated it was February 23, 2010. Ms. Reiss stated Mr. Troilo ignored a lot of things, and she specifically noted the lighting. Mr. VanDyke showed the lighting which was proposed and signed off on by HARB, but added he could not find the Township records on this. He stated all he could find were colored rendered drawings, but nothing that gave all the specifics; and he does not know who is administering this.

Mr. VanDyke stated he would like to know if this is what they all still want to do and whether they feel it is working. He read from the Preamble as follows, "The purpose and intent of the District is to provide for a Traditional Neighborhood for the diversity of uses, block sizes, dwelling unit types, commercial units, and green spaces in a compact arrangement that promises internal/external walkability. To encourage new development which emulates the character found in places such as Historic Edgewood Village and Newtown Borough. To promote a streetscape quality to neighborhoods that further identifies the Village of Edgewood as a destination for the Township. To encourage a combination of businesses and residential uses in the Historic/Commercial District which enables jobs and employment opportunities close to home." Mr. VanDyke stated one of the reasons they are proposing apartments over the shops is because it is a work/live situation. He stated the Township is not hooked up to mass transit so it will be important for people to be able to walk to work if they work in one of the restaurants.

He stated it also states, “Create economic incentives that will further the preservation/renovation of existing historic structures within the existing Edgewood Village Historic District as delineated within the Zoning map. To develop design standards that will encourage infill development will not be detrimental to the integrity of the Historic District.”

Mr. VanDyke stated this is an Overlay District, and it is not a by-right District. He stated the provisions of the underlying District govern unless the TND District is chosen; however to do a TND District, it is based upon meeting Conditions. He stated he did not find anything in any of the Hearings or Testimony about how any of the Applicants had met the Conditional criteria for the TND Overlay District. He stated if the TND is chosen, all the provisions of the Overlay District must be met and shall supersede the provisions of the underlying District. Mr. VanDyke stated he worked very close with the Township attorney to develop this language.

Mr. VanDyke stated another aspect which is key are the Supplemental Regulations. He stated with regard to Conditional Regulations it states, “Since it the principal intent of the TND to promote the preservation of the existing historic structures within the existing Edgewood Village Historic District, none of the provisions of the TND Overlay District shall apply, and only the underlying Zoning shall apply if the resulting development plan would impose a demolition or proper renovation of any historic structure for the proposed development where this TND Overlay District is intended to be applied.” Mr. VanDyke stated this is strict language which was put in there deliberately since they knew that while they had a public/private partnership for a couple of developers, they also knew they had people with their own mission.

Mr. VanDyke read from a document which states, “The Lower Makefield Township Board of Supervisors may grant a Certificate of Appropriateness for the relocation of a historic structure within Edgewood Village National Historic District to a location subject to the approval of the Lower Makefield Township Board of Supervisors, and this is based upon a recommendation of the Historic Architectural Review Board when it is shown that the current location of a historic structure creates extreme hardship.” Mr. VanDyke stated this was done in negotiation with Mr. Troilo with Flowers Field as he was concerned that the buildings that were along Stony Hill Road were not up to the standards he needed to create from an economic point of view for viable retail so they created some thoughtful language that would allow for the replication upon the recommendation of HARB when it has been demonstrated that the building cannot be renovated for structural reasons.

Mr. Van Dyke stated the language is as follows: “The Lower Makefield Township Board of Supervisors can grant a Certificate of Appropriateness for the demolition of the structure provided there will be an accurate replication of the historic structure.” Mr. VanDyke stated this is what the Board of Supervisors based the demolition on for the Heacock House. Mr. Dyke continued to read as follows: “The relocated or replicated structure must remain within Edgewood Village National Historic District.” He stated it does not have to be on the same lot, and it could be moved elsewhere within the District. Mr. VanDyke continued to read as follows, “There is to be proof that the relocated/replicated structure will not remain empty, and will have an adaptive reuse that is approved by the Lower Makefield Township Board of Supervisors.” Mr. VanDyke stated with regard to the Heacock House, he understands that the Plan has been approved; but there is still the pending issue of the Heacock House which needs to be replicated someplace. He stated this is a legal and administrative issue, and it is an enforcement issue that he feels the Township still needs to deal with. Mr. Dickson stated from what he understands at this point there is absolutely no intent by the Supervisors to replicate that structure. Ms. Reiss asked which building they are speaking of, and Mr. VanDyke stated it is the Heacock House. Mr. Dickson stated he was told by the Chairman of the Board of Supervisors the other week that “it was an old house, nobody cares about it, it’s gone.” Ms. Reiss stated she was not party to that conversation. Mr. Dickson stated he argued with the Supervisors that the House needed to be replicated and was told it was not going to be. Mr. Dickson stated there were also two other houses which were taken down that the Troilos have no intention of replicating. He stated they are the two that were on Stony Hill Road at Flowers Field. Mr. Dickson stated it is in the 2011 Board of Supervisors Minutes that when that was approved, they agreed to replicate them; and Mr. VanDyke agreed. Mr. Dickson stated one of them was to be a Community Center, and Mr. VanDyke stated one was to be a Post Office. Ms. Reiss stated she is for both of those. She stated she was not aware of those two properties.

Mr. VanDyke showed a drawing of the Heacock House and stated part of the Agreement was that the drawing had to be created and a lot of language went into it; and he had to present it to the Supervisors before they granted the demolition/replication; and he added that is what the Ordinance requires. He stated he does not know how they can backtrack on a decision that was made in the past. Mr. Dickson stated the Ordinance which Mr. VanDyke quoted clearly says that there is to be consult with HARB; and he feels this is where it is falling down since when he spoke to HARB, he was advised that they were never consulted about anything to do with the relocation of the tenant house where DeLorenzo’s will be. Mr. VanDyke stated HARB was part of the decision regarding the demolition/replication in 2005, and it was supposed to be replicated at the same location; and part of the Agreement was that the foundation was supposed to remain intact.

Mr. Dickson stated when DeLorenzo's came before the Planning Commission, he argued that point; and Mr. Murphy indicated the Ordinance did not apply to them. Mr. VanDyke stated Mr. Murphy could go under the H/C District so that the Overlay District would not apply so he would agree with Mr. Murphy on that; however, there is still the finding of the Board of Supervisors of 2005 which has been unmet. Mr. Dickson stated he tried to make the point that they needed to have some addition to the approval of DeLorenzo's that as part of that the structure would be re-located, and that did not happen. He stated the Board of Supervisors elected not to do that; and in fact one Supervisor advised him that they had absolutely no awareness of the Overlay language until he showed it to them. Mr. VanDyke stated he understands that they are dealing with a "young" Board, and hopefully the Planning Commission will advise them of what their Ordinances say. Mr. Dickson stated he did advise them, and it was ignored.

Mr. VanDyke stated he has looked at the approval for Flowers Field, and it did stipulate the buildings were going to be re-located or incorporated into the Plan; and if he is not going to do that, he is in total violation of the Ordinance and would therefore have no right to build what he is building now. Mr. Dickson stated he was told that for the two buildings on Stony Hill Road, they have no intention now of replicating them. He stated he was told with regard to the Danny Quill house that their intent is to tear that down and not replicate that. Ms. Reiss stated that is the house on the corner. She stated one is the Ishmael House; and while she was not party to it from what she has gotten from two of the other parties, they are trying to work with Mr. Troilo to restore the Ishmael House. Ms. Reiss stated she is not sure she is trusting of him doing that. Mr. Dickson stated he understands that there were discussions with the Dolington Preservation group about them taking over the Ishmael House, and as part of that Mr. Troilo indicated that with regard to the Quill house, he indicated that he wanted to tear it down. Ms. Reiss stated she agrees that she was told that as well, but she does not feel anyone has signed off on that. Ms. Reiss stated it should still come before the entire Board of Supervisors. She stated she understands there was only one Supervisor involved, and the rest of the Board was not even told about the meeting; and she feels there should have been at least a second Supervisor there.

Mr. Dickson stated he feels one problem is in terms of the Application and following of this, it has been very hit and miss. He noted the Ordinance with regard to signage which states, "All signs shall be of natural materials. Plastic signs and removable letters are prohibited." Mr. Dickson stated there has been a sign on the porch of the Edgewood Café since it was built which violates the Ordinance, and there has been no effort to fix that. Ms. Reiss stated this was discussed at a previous Supervisors meeting, and they have requested the Township Manager to make sure that letters are sent that they need to remove it. Mr. Ware stated they are in the process now of filing an Application to replace that sign.

Mr. VanDyke stated it appears that there has been “shaky implementation,” and he asked if the Ordinance is something the Township still wants. Mr. VanDyke stated this is why he discussed the list of the ten benefits of Historic Districts, and the Township needs to consider if they still believe in this. He stated if they do still want to have a Historic District, they can have it; but they have to enforce it, and the Township does have the enforcement mechanism to do so.

Mr. Dickson noted #4 of the Ordinance for Buildings and Design states, “Building materials shall be vernacular to the Historic buildings in the area and conform to the colors and textures of the District,” and it lists the materials. Mr. Dickson stated with regard to DeLorenzo’s, he had asked Mr. Murphy if they were going to conform with this, and he replied “It will look like it.”

Mr. VanDyke stated he feels that is immaterial because it has to go before HARB. Mr. Ware stated it did go before HARB on two occasions, and HARB approved it. Mr. VanDyke stated there was very specific language which was developed which included what hinges, steps, etc. that were needed to meet the criteria. He stated everything needs to be done appropriately and someone needs to be enforcing this. He stated he is amazed at what happened to the corner building. He stated if it is not enforced, it diminishes the character. Mr. VanDyke stated they have the bones of some great buildings and a great crossroads and they can do all the things that were specified that would create tremendous value, a destination, and something they can be proud of.

Ms. Reiss stated she feels Lower Makefield has an identity problem; and while everyone loves the idea of a Historic District, no one wants to make the sacrifice that it may require them to drive slower. She stated she did not envision Flowers Field looking like it does, and she was very concerned with the lights which were installed which looks like a “landing field.” Ms. Reiss stated she and her husband were looking to move into something smaller at a reasonable cost with a first floor bedroom, and Mr. Troilo did not understand what people in the community wanted. She stated he has cut down on the size to try to lower the prices but did not hear that people wanted a first floor bedroom. Mr. Ware stated this is incorrect, as they now have two new models with first floor bedrooms. Ms. Reiss stated it is still not the way she envisioned it.

Mr. VanDyke reviewed work he has done in other Municipalities that he represents including making changes to lights that were installed which the community was not in favor. He stated the lighting is a very important part of the character of the community. Mr. VanDyke stated when he worked with HARB he tried to impress on them that the battles they could not win were those that dealt with density as that was economically driven; but the battle they could win was the character, and he does not see that anyone is fighting for that anymore. Mr. VanDyke stated

he is shocked by the attitude expressed by the one Supervisor. He stated the way the Ordinance was written around 2006 it was very clear that it was important to preserve the buildings of the Historic District. Mr. VanDyke stated while HARB does not necessarily like to have them re-located and it is frowned upon on the State level, if they have to do it, they realized that the most important thing is to save the building. He stated in working with the HARB, the Supervisors, and the Planning Commission the legacy was to develop so that it was very clear that violations of removal of buildings was only predicated upon the replication; and that is an enforcement issue and part of the approval of the Preliminary/Final. He stated it is in the language, and he would enforce that since it is critical to the character and fiber of the community. Mr. VanDyke stated there should be a partnership between HARB, the Planning Commission, and the Supervisors. He stated unless everyone sees the merits of this, they are not going to get the enforcement or the follow through. He stated this is why he quoted the Preamble related to the District. He stated while DeLorenzo's can come under the H/C District, they still have to meet the HARB criteria. He stated the merits of on-street parking was to provide traffic calming and create a buffer so that when you walk down the sidewalk, there is a buffer between the pedestrian and the cars going by.

Mr. VanDyke stated he worked with Mr. Troilo for six to seven years and coached him, and he wishes he was still involved because he feels he could convince him. Mr. VanDyke stated he does not feel it is lawyers who are going to solve the problems, rather it will be the architects, landscape architects, and historians who will help preserve the character of Edgewood Village if this is something they all believe in. Mr. VanDyke stated the tools are there to do this, but the Township needs to decide what they want.

Mr. Tracey stated he feels the problem is most people in the Township are more concerned about getting to work and making a good life for their children. He stated there are strong forces in the Township for historical development, but there are also strong forces for commercial and residential development. Mr. Tracey stated the Planning Commission, HARB, and the Supervisors in particular all have their part to play; but he feels it is really up to the community to decide how they want to go. He stated they have had people who have been working on this for many years; and when he saw the Plans he felt this was a good conceptual framework for developing Edgewood Village, but for whatever reason, political

or economic, this fell apart. Mr. VanDyke stated for years he did not know anything was happening; and one day they saw that DeLuca was starting to develop. Mr. Tracey asked Mr. VanDyke if the drawings he showed could be provided to the Township; and Mr. VanDyke stated all his files were developed on behalf of the Township, so they are Township files. He provided them to Mr. Ware this evening. Mr. Tracey stated Mr. Dickson is really the only one who has a proper perspective and history of this, and he feels this would be a good place to start since they have to at least address the fact that there is an Ordinance on the books that is in variance with what is now going on in the Township.

Mr. VanDyke stated at this point it does not seem that there is a lot of passion to work out the details which are very important. Mr. VanDyke stated the issue is not density – it is what is put into the ground.

Mr. Wallace stated he is new to the Planning Commission, and he thanked Mr. VanDyke for providing all of this information. Mr. VanDyke showed the architectural drawings for the barn, and it is not what is there now which he feels is an enforcement issue. He stated he does not feel the Certificate of Occupancy should have been issued until everything was done, and the law was on their side. Mr. Wallace stated he feels they need to do more research on all of this in understanding the history and how the decisions were made by previous Boards. Mr. Dickson stated he feels the problem is that there has been selective enforcement, and there has been a cavalier attitude about this Ordinance in terms of projects that have been approved and in follow through on whether or not they were adhered to. Mr. VanDyke stated that is not unusual for that to happen in many Municipalities. He stated while the HARB and the Planning Commission can be powerful, they are only powerful if there is enforcement. He stated other communities are very strong in this because they believe in it and see what it does to their home values and the character of the community.

Mr. VanDyke stated there is a unique situation in Lower Makefield because they have a National Historic District which very few Municipalities have. He stated it is also unique in that the buildings are not necessarily “pretty” so it is hard for people to fall in love with them, but they have very important stories to tell as these were the homes of the workers and the forefathers of those who developed the farms in Lower Makefield. Mr. VanDyke stated they need to decide if they feel it is important to preserve this.

Mr. VanDyke stated it is also important to educate people that not everyplace has to have travel speeds of 55 miles per hour. He stated he works with representatives of PennDOT on addressing issues like this in Villages every day. He stated there are a lot of creative things that can be done to have traffic calming and to create walkable, safe communities. Mr. VanDyke stated he is also working with other communities on interconnectivity, and they are doing a series of bike trail systems so that children have more mobility on trails that are safe. He stated in Doylestown Borough, they have developed thirty-two miles of bikeways that are separated from the road by wooden guide rails, and this is what a lot of communities are doing today in Chester, Montgomery, and Delaware Counties. Mr. VanDyke stated planning is not just land uses, rather it is creating a character of the community. He stated they need to decide what they want to be.

Mr. Tracey stated at Edgewood Village there are alternative traffic routes that can be used to encourage people to diminish their daily use of Stony Hill and Yardley-Langhorne Road. He stated he agrees with Mr. VanDyke that use of restrictive-type roadways and bike trails can do a lot to not only mitigate traffic but also to enhance the perception and usage of space.

Mr. VanDyke stated on the corner of Stony Hill and Langhorne-Yardley there is vacant open space which is doing nothing. He also noted the location of the Veterans Memorial and the Farmers Market which is in the “middle of nothing.” He stated there are things going for the Township, but no one has ever put everything together. He stated there is a developer that owes the Township approximately seventy-eight trees, and they could get a Grant from the DCNR very easily which he could help them write; and they could get a Grant to have someone design this and show where the trees should go to create character. Ms. Reiss stated they have a wonderful EAC with a member who is an arborist who has done a lot, and she would like to get the money for the seventy-eight trees and start installing them. Mr. VanDyke stated there are also Grants from Tree City so there are lot of things that the Township could use to start initiating these things. Mr. VanDyke stated when he stopped being the Township’s consultant, everything seemed to drop. He stated while he can show people how to do things, he cannot force them to do it. He stated they have the tools to make things happen, but the Township needs to have the will to enforce them. He stated if they are not enforceable, they need to change them so that they have something they can enforce. He stated it is not being fair to the public who has one perception of what the Ordinances are, but then they are ignored. He stated anyone in the Township could sue the Supervisors for maleficence for not adhering to the laws, and he does not feel they want to take that kind of risk.

Mr. VanDyke stated Mr. Fedorchak had called him back into the Township because the Supervisors had some questions and wondered why there was a TND Ordinance and a Historic District. Mr. VanDyke stated he needed to look into why things were “falling through the cracks.” He stated administrations change, rules change, and people change. He stated he was asked to give the Planning Commission some background. He noted the Edgewood Village Design Guidelines, and the Planning Commission members indicated they had that. Mr. VanDyke stated they need someone who has design sense and someone who understands historic preservation to be an advocate. He stated there is an architect on the HARB, although he does not know who that is or their experience with historic preservation. Mr. Ware stated there are several architects; and he added that Jennifer Stark is a historic preservation architect, and she is Chair of the HARB. Mr. VanDyke stated he could tell by her comments that she asked the right questions and seemed to know what was going on; however, for the sake of enforcement, he would like to see more documentation. He stated in many of the communities he represents, if they do not see full documentation before you go to the Board, you are provided a full list of what is needed including photographs of adjacent buildings, details of the building, the architectural drawings, etc.; and if you do not have this, they will not hear it.

Mr. Ware stated they are trying to get that process in place. Mr. VanDyke stated that is the handout material that he developed for the Township six years ago. Mr. Ware stated it has not been used in that way. Mr. VanDyke stated he was trying to make enforcement easier.

Mr. Bob Dwyer asked if he could be provided a hard copy of the power point prepared by Mr. VanDyke, and he was provided a copy of it this evening. Mr. Ware stated it is also on the Township Website.

There being no further business, Mr. Wallace moved, Mr. Halboth seconded and it was unanimously carried to adjourn the meeting at 9:00 p.m.

Respectfully Submitted,

Chad Wallace, Secretary

