

TOWNSHIP OF LOWER MAKEFIELD  
BOARD OF SUPERVISORS  
MINUTES – FEBRUARY 15, 2017

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on February 15, 2017. Ms. Tyler called the meeting to order at 7:30 p.m.

Those Present:

Board of Supervisors: Kristin Tyler, Chair  
David Fritchey, Vice Chair  
John B. Lewis, Secretary  
Judi Reiss, Treasurer  
Jeff Benedetto, Supervisor

Others: Terry Fedorchak, Township Manager  
David Truelove, Township Solicitor  
Mark Eisold, Township Engineer  
Kenneth Coluzzi, Chief of Police

PUBLIC COMMENT

Mr. Tim Burke, 2313 Weinmann Way, asked for an update on the proposal by the Bible Fellowship Church to purchase property from the Township for a parking lot. Ms. Tyler stated she, the Township engineer, and the Township Manager met with some Bible Fellowship representatives who had appeared at the public meeting. She stated they looked at their Plans and discussed a number of options for parking. She stated the Township provided them with contact information for the Pennsbury School District Business Administrator, and asked them to discuss the possibility of putting the parking lot on the Edgewood Elementary School property.

Mr. Burke asked if there will be any further discussion or action on that proposal this evening, and Ms. Tyler stated there will not. Ms. Tyler stated the Board will not take any action on Bible Fellowship without full knowledge of those involved. She stated she has heard that people have been indicating that Motions will be made without further public comment, and that is incorrect. Ms. Tyler stated if the Bible Fellowship issue comes up on an Agenda, everyone will be notified as they have been in the past. Ms. Tyler stated she assumes that it will take the Church some time before they get an answer from Pennsbury.

Mr. Burke stated with regard to a Conservation Easement, he understands that the Third Party Conservation Easement is expensive, and he asked Mr. Truelove if there are other methods of getting a Conservation Easement for that land. Mr. Truelove stated it is not always necessarily expensive if you work with the County; however, he has not been authorized to look into any options.

Mr. David White, Gayle Drive, stated at the end of December he had a discussion about the Quiet Zones with Mr. Eisold who indicated that they needed lights at each crossing; and he had indicated that the completion date would be the end of February. Mr. White stated since it is almost the end of February, he would like to know the completion date. Mr. Eisold stated they have talked to both CSX and SEPTA about the lights, and SEPTA has indicated they will get their lights up by the end of February; however, they have not been given an exact date from CSX. Mr. Eisold stated he knows that CSX is in the process of ordering the equipment. He stated CSX is reluctant to give him a date when it will be done despite talking to them many times.

Mr. White asked if CSX continues to be non-responsive, are there Federal regulatory agencies they can speak to about this. Mr. Eisold stated while they have not looked into that, the consultant who worked with them could see if there are any other ways they could look into to get CSX to get these in. He stated he hopes that they will get a date from them shortly. Ms. Tyler stated they entered into an Escrow Agreement to insure CSX that the Township would pay them for their expenses with regard to these lights. Ms. Tyler stated CSX required that formality before they would schedule the work; and they indicated that once they received the Escrow Agreement, they would have the work completed within three months. Ms. Tyler stated she feels this is a small project for CSX, and she does not feel the Township is a priority for them. Mr. White stated since it is such a small job for them, he does not understand why they do not just get it done. Mr. Eisold stated they advised him that it would be done within three months.

Mr. Benedetto stated there has been some anecdotal evidence about malfunctioning gates, and it seems that there has been an increased frequency with gates being down when there are no trains and gates being up. Mr. Eisold stated this should really have no relationship to the Quiet Zones work. He stated Chief Coluzzi has put together a spread sheet on the issues with the gates. Mr. Eisold stated in the past this was CSX's responsibility; but with the installation of the third track, he believes SEPTA is the responsible party. Chief Coluzzi agreed that it has been increasing in frequency although he does not know the reason. Ms. Tyler stated she understands that the signalization at the crossings changed when the third rail went in and different infrastructure was put in. Mr. Eisold stated they did make some adjustments at the crossings; however, he is not sure exactly what they were.

Ms. Tyler stated she feels they should follow up with CSX and SEPTA and ask them why they are frequently seeing these issues, and Chief Coluzzi stated he and Mr. Eisold will work on this.

Dr. Helen Heinz, 1355 Edgewood Road, provided a history of the Township parcel adjacent to the Bible Fellowship Church which is being considered for a parking lot. She stated approximately 1985 to 1986, the 29.5 acre property was purchased by a group called Yardley Woods Partnership. She stated in 1988 the Board of Supervisors were presented with a petition signed by 78 residents from Mirror Lakes protesting the development of Yardley Woods, and they wanted the property to be purchased by the Township because of the wildlife, the historic trees, and the sound barrier. Dr. Heinz stated the Township had the property appraised, and the 29.5 acres was appraised at \$295,000. She stated on September 26, 1988 the Board of Supervisors unanimously authorized the Township Manager and solicitor to proceed with eminent domain. She stated the Deed of Taking was signed on May 17, 1989 and it was presented to the Court of Common Pleas and the Court decided it was necessary for Municipal purposes including but not limited to active and passive recreation. She stated the Deed Transfer took place on July 27, 1989, and there was no restriction on the Deed. She stated a number of lawsuits were filed and counter-filed between the consortium and the Township, and the matter was settled on April 8, 1991; and a Bucks County Jury found that LMT should pay just compensation to the Plaintiff in the amount of \$694,922.52 which included delayed damages of \$42,000. Dr. Heinz reviewed the history of the Bible Fellowship Church property.

Dr. Heinz stated the same residents who were opposed to the development of the 29.5 acres came to the Township in 1991 indicating that there were problems with Silver Lake which was silting up and impacting their property values. She stated they implied that they would file a lawsuit against the Township for allowing development upstream. Dr. Heinz stated questions were later raised about the silt deposit, and the Township asked the resident naturalist of the Five Mile Woods, Rick Mellon, to report on the condition of the silt, what was in it, and what it would do when it was deposited in the woodlands. She stated she recalls that his report was negative with regard to placing the silt in the woods, and he had indicated at a public meeting that it would create a wasteland that would take forty to fifty years to recover. She stated the Board of Supervisors were unhappy to hear that report from Mr. Mellon, and he was fired as the Naturalist of Five Mile Woods. Dr. Heinz stated she was advised by a member of Mr. Mellon's family that he would not be willing to comment on the content of the silt that was deposited in the forest, and no one has seen that report. Dr. Heinz stated she hopes that the Board of Supervisors will check into this and find all the paperwork having to do with the dumping of that silt; and she feels there should be substantial paperwork on this because the State Municipal Dumping and Resource Recovery Act was passed in 1988, and this

occurred in the 1990s so there should be a substantial amount of paperwork involved with the Application to the Bucks County Conservation Board and the DEP. Dr. Heinz stated she does not feel the Township residents should be passing a problem onto another unsuspecting entity if there is a problem.

Mr. Tony Kehoe, 476 Liberty Dive, asked if the Bible Fellowship Church gave her anything she could share regarding their plans. Ms. Tyler stated she feels they would be happy to talk to Mr. Kehoe. She stated she feels the Church's growth is bigger than they had anticipated, but she feels they are largely at build out at what has already been approved. Mr. Kehoe stated he got their growth data, and they are currently at 775; and he fit an exponential model to this and feels they will be at approximately 1,100 people in five years. He stated their growth rate has averaged over 7%, and the average growth for Churches in the United States is a -.3%. He stated they should be congratulated for doing something right; but as their growth continues, he feels the nearby residents have a right to know how the Church's growth will effect their property values as well as the Church's plans for the growth. He stated the reason he would hesitate to contact them directly is there could be a "he-said, she-said" situation when things are done in private; and he would prefer to discuss this in a public forum where it is documented for everyone to see, and this is why he made the Right-to-Know request. He stated if he can get access to those records, he will put them in a presentation and present it at the Board of Supervisors meeting; and he would ask that the presentation be put in the Record in the Board of Supervisors Minutes.

Ms. Tyler stated the Township would not have any information projecting the Church's growth in the Township records. Mr. Kehoe stated he did the projections based on their stated membership levels through the years, and then did the exponential model showing that they will be at 1,100 in five years if they continue their current growth rate. He stated the residents need to know what are their plans and how it will impact the residents.

Mr. Kehoe stated given that they are now hearing that there may be problems that could involve the EPA with the silt, he feels they should get core samples taken by civil engineers or environmental scientists and have the samples analyzed. He stated this should cost less than \$5,000 to \$10,000. Mr. Fedorchak stated at the time the Township entered in the Agreement with Silver Lake to allow the Association to dump the silt there, a number of tests were done by the Township engineers; and the results were negative. Mr. Kehoe stated that was thirty years ago, and the regulations could have changed; and he feels as a Registered, professional engineer they should have this updated.

Mr. Kehoe stated he feels they all agree that the land was purchased for conservation and other Municipal purposes, and he would like to know how selling Township land to a private entity so that they can building a parking lot for their private use where only a third of those attending the Church live in Lower Makefield constitutes Municipal purpose.

Ms. Kathleen Hirko, 1450 Dolington Road, stated at the last Board of Supervisors meeting Ms. Tyler was asked where she stood on the issue of the Bible Fellowship Church, and she indicated she was investigating all possible avenues and had not made a decision; and Ms. Tyler stated that is correct. Ms. Hirko stated she would like to ask this question of Mr. Fritchey, and Mr. Fritchey stated his answer would be the same as Ms. Tyler's. Ms. Tyler stated in her opinion no one should have made a decision yet as it is the job of a Supervisor to look into everything that is out there. Ms. Hirko asked Mr. Fritchey if he is aware that one of his fellow Supervisors is saying on Social Media that Mr. Fritchey has made a decision to sell the land. She stated a Supervisor is saying on Social Media to 6,000 people in Lower Makefield that the Chair will be the deciding vote since Mr. Fritchey and Mr. Benedetto have already decided to sell, and that Mr. Lewis and Ms. Reiss are opposed to it. Mr. Fritchey stated his position is that he is open to sell the property which is different from saying he has decided to sell it, and Ms. Hirko agreed. She stated she just wanted to let him know that a Supervisor is telling people Mr. Fritchey has made a decision. Ms. Tyler stated this is a perfect example of why residents should not take everything on Social Media as fact, and the meeting is the place to come to get information from the Board.

Mr. Stuart Goldman, 706 Oxford Valley Road, stated his home is across from the green space owned by the Church. He stated he and a number of residents had been invited to a meeting when the Church was being built, and one of the questions that came up had to do with the membership growing; and they had indicated that once they reached 500 members, they would have to look at an alternative which could be opening up a new branch somewhere else although they would not leave this site. Mr. Goldman stated that seemed to be acceptable to those in attendance. Mr. Goldman stated the Church has been a fine neighbor, but it seems that there is a change in the numbers. Mr. Goldman stated the Board of Supervisors are the stewards of the Township and everything in it. He stated he is concerned what the land will be used for ultimately, and how many more parking spaces they really need. He stated he felt the Board had offered a number of other options including working with the School which would be a simple solution to the parking issue.

Mr. Fritchey stated he understands that Mr. Goldman would not be opposed to the expansion of the Church in terms of membership, but is opposed to having a parking lot north of the Church in the area which the Township owns; but would not be opposed to a parking lot to the west of the Church currently owned by Edgewood School. Mr. Goldman stated if that is out of view it is fine, but he does not want the Church to pave over the green space which the Church owns. He stated his home is directly across from the green space, and he would not want to look onto a parking lot in that area. Mr. Fritchey stated paving that area is one of the solutions, and Mr. Goldman stated he would not be in favor of that as it could depreciate the value of his home since he would then be across from a parking lot. He stated if it were in the woods, that would not be an issue; although he is not sure how they would get to that area.

Mr. Fritchey stated there are four possibilities one being that the Church would not have any further expansion of the Church, the Township sells or rents the Township land that has been discussed and the Church builds their parking lot on the current silt pile, the Church builds their parking lot in the green space across from Mr. Goldman's house, or the Church reaches an arrangement with the School District to have their parking lot west of the current Church property north of the Edgewood School currently owned by the Pennsbury School District. Mr. Goldman stated he does not want the green space across from his home paved over. Mr. Benedetto advised Mr. Goldman that he is in the minority on that opinion with the group of residents present.

Mr. Goldman asked how many more parking spaces they are looking to install, and Ms. Tyler stated it is approximately 130 spaces. Ms. Reiss stated that question was asked of the Church when they were proposing the expansion, and they indicated that they would not need any additional parking. She stated that was part of the reason that Waivers were granted for their expansion since the Church assured them they had sufficient parking for the expansion they are doing right now.

Mr. Benedetto stated the Church representatives are going to come back, and they can have all these questions answered as they are very valid questions that are being asked; and he does not feel they should speculate although they could go back and review Meeting Minutes.

Mr. Goldman stated the reason he was asking about the number of parking spaces was to understand how much physical space was needed and where it would be so that they could get access to it from the road as he understands the traffic on Sundays is horrendous, although he is not home during that time. He stated he has been advised by his neighbor that she cannot get out of her driveway.

Mr. Fritchey stated the request that the Church presented to the Board was that they would build a small road which would require them to cut down fifteen to twenty small trees, and they would go into the area where the silt pile is from their own internal property. Mr. Goldman stated he would not have a problem with this option. He stated this is the only option that makes him feel comfortable unless they are able to have parking at the School.

Ms. Reiss stated this will mean there will be 200 more cars twice for two services on Sunday.

Mr. Benedetto stated the Church had indicated that there is currently no formal agreement with the School District, and there is no guarantee that they can continue to use it the School parking lot. He stated in that case they may be parking in the neighborhoods. Mr. Benedetto stated they came before the Township five years ago indicating there was a parking problem, and it has gotten worse.

Mr. Goldman stated when the Church first came here they understood what the limitations were on that space which would seem to limit the maximum number of members that they could support on that site. He stated when the Church was last present before the Board of Supervisors to discuss this someone indicated that they felt they could find a way to accommodate them; however, he does not feel they have to do this since the Church came into this knowing the limitations, and they were willing to accept them.

Mr. Benedetto stated if the Township will not permit what the Church is proposing with regard to the Township land and the School District will not accommodate them either, the Church's solution would be to build on the green space across the street from Mr. Goldman's home. He stated they would not have to purchase any additional property, and they could build the parking lot there provided they can meet impervious surface and other Zoning requirements.

Mr. Kehoe stated the Church is authorized to build there, and it is a recessed parking area; and if they put in some landscaping, you will not be able to see the cars from the road.

Mr. Robert Abrams, 652 Teich Drive, stated he sent the Board of Supervisors information on Act 101 regarding Host Community Fees which he had previously discussed at a prior Board meeting. He stated when he had discussions with DEP about this, they indicated that they did not feel the Fees were dividable; however, he indicated the Host Community Fee for Parx Casino is distributed to the surrounding areas, and questioned why this was any different. He stated they referred him to Act 101 which is why he sent it to the Township. Mr. Abrams also discussed the Elcon situation and discussed the types of materials they are proposing to accept which he

feels are in violation of the Permit they are requesting. He feels their submission to DEP is not accurate unless they are not accepting pharmaceutical liquids. Mr. Abrams suggested that they discuss this with the County since the County takes the Casino revenues and distributes them, and he feels they should distribute the Host Community Fee for this as well. He stated the Township could also talk directly to Falls Township first.

Ms. Tyler stated the Township's EAC is going to review the Phase II filing, and they will continue to discuss this.

Mr. Abrams also discussed his concerns with the finances of the Pennsbury School District and the impact on the community's value.

Mr. Benedetto stated with regard to the Township property under discussion for parking for the Bible Fellowship Church, he feels they need to find out if there is a report as noted by Dr. Heinz earlier this evening since if people are going onto this property, they should know what is there.

#### APPROVAL OF MINUTES OF FEBRUARY 1, 2017

Mr. Lewis moved, Mr. Fritchey seconded and it was unanimously carried to approve the Minutes of February 1, 2017 as written.

#### APPROVAL OF JANUARY 23, 2017 AND FEBRUARY 6, 2017 WARRANT LISTS AND JANUARY, 2017 PAYROLL

Mr. Fritchey moved, Mr. Benedetto seconded and it was unanimously carried to approve the January 23, 2017 and February 6, 2017 Warrant Lists and January, 2017 Payroll as attached to the Minutes.

#### DICSUSSION OF IMPROVEMENTS TO JANNEY BROWN FARMHOUSE

Ms. Bette Sovinee, West Ferry Road, stated she is the Art Center Coordinator at the Artists of Yardley Art Center. She stated they entered into a ten-year Lease with the Township in the fall, and under the terms of the Lease provisions are made for monthly Lease payments to be deferred for capital improvements to the Janney house with the approval of the Board of Supervisors. Ms. Sovinee stated they are in the process of obtaining quotes on three improvement projects – windows, refinishing of the original wood floors, and patio doors rather than the existing screen porch.

Ms. Sovinee stated they estimate that the house was built in 1730 and expanded to the present two and half floors in 1837. She stated they recognize that it is a privilege to be tenants of the house and have it open to promote arts and arts education in the community. She stated they are excited to make improvements to the house in order to maintain this asset. She stated the existing windows let in light which makes it wonderful to do art in during the day; however, they are an energy drain. She stated their energy expenditures run over \$6,000 a year, and they use oil heat. She stated she has provided a quote from a contractor showing two options for the windows. She stated one is the removal of the existing storm windows that were installed approximately 1950 which are drafty and do not operate. She stated this proposal would allow them to keep what they feel are the original windows from the 1837 expansion, and she reviewed the work to be done under this proposal which would cost approximately \$6,000. She stated this option would preserve the existing windows and the character of the historic property.

Ms. Sovinee stated the second option provided by the contractor would be to remove the original sash and replace it with a custom vinyl insert which would be trimmed out to match the existing exterior trim. The contractor has advised that the replacement windows would greatly enhance the insulating factor, and he is currently doing this in a historic Church in Bristol which was approved by their Historic Commission. She stated the quote for this option is just over \$11,000. Ms. Sovinee stated Ms. Robinson, President of AOY, has indicated she would prefer the vinyl replacement windows since it would provide greater energy conservation. Ms. Sovinee stated she feels both options would reduce the current energy costs, and it is up to the Board of Supervisors as they are the ultimate decision makers.

Ms. Tyler stated Mr. Truelove has reviewed the new Lease Agreement, and they do need Supervisor approval to do any upgrades. She stated she feels AOY should go to the Historic Architectural Review Board and present them with the options, and she would like HARB and the Historic Commission to make a recommendation on this to the Board of Supervisors. Ms. Tyler stated they will ask Mr. Ware to put this matter on the HARB's Agenda, and to also notify the Historic Commission to attend and provide a recommendation. Ms. Tyler stated this will be the same process to be followed for the wood floors and the patio doors. Ms. Tyler asked that Ms. Sovinee provide them as much information as possible including photographs of the types of windows they are proposing, and it would be helpful if they could provide the specs from the contractor.

Ms. Sovinee asked if they can defer their Lease payments as they are in the midst of these discussions so that they can keep the money for these capital improvements. Ms. Tyler stated Mr. Truelove and Mr. Fedorchak will have to discuss that.

Mr. Truelove stated they will have to look at the way the payments relate to the overall terms of the Lease. He stated the provision in the Lease which relates to this matter is Sub Section 2 on Page 7.

Ms. Sovinee asked if there is an Application Fee to go before HARB, and Ms. Tyler stated Mr. Fedorchak will make a decision on this.

Mr. Lewis stated under the Lease smaller things do not require Board approval, and for things that are basic repairs under \$2,500 AOY can just go to Mr. Fedorchak. Mr. Truelove stated the Lease does include language on these thresholds.

Mr. Benedetto stated Ms. Robinson had discussed in September about having sponsors for projects, and he noted there are people in the Township who could do this work. He stated he feels they should examine the possibility of someone donating their time or resources even though they have this quote for the windows. Ms. Sovinee stated those wishing to donate their time, materials, or to sponsor a project to contact them. Ms. Tyler stated anyone who would be doing the work would need to be a Licensed Contractor with Certificates of Insurance.

Ms. Sovinee announced that the Luau will be May 20 and Summer Camp has been posted.

Ms. Tyler stated she would like to have an activity such as “fireflies on the Farm” working with AOY and the Historic Commission to provide more public access, and she will be in touch with Ms. Robinson to discuss this further.

Dr. Heinz stated she appreciates that they will be deferring to some of the Advisory Boards. She asked Ms. Sovinee to check the National Department of the Interior Standards as HARB uses those and requires Township residents to adhere to those standards, and they should make sure that their contractors are coming in with windows that adhere to those standards. She stated she would also appreciate it if they would ask the Patterson Farm Preservation group as they are interested in helping out at the Farm.

Mr. Jeff Hirko stated with regard to any restoration to the windows that are there, the best thing to do would be new storm windows. He stated he was there over the weekend, and he stated everything they have indicated is a problem can be rectified. He reviewed the work that could be done as he did at his 1820’s farmhouse. He stated he feels he is an expert in redoing windows as he has done close to 1,200 windows, 600 of which he did recently at George School in Newtown. He reviewed other work he has done with historic windows. Ms. Tyler suggested he attend the HARB meeting when it is on the Agenda.

UPDATE ON COMMUNITY-WIDE TREE PLANTING PROGRAM AND APPROVAL OF PHASE 4 ARBORETUM PLAN

Mr. Eisold stated last year they completed the first three phases consisting of approximately 125 trees around portions of the new walking trail. He stated he is asking this evening for the Board's consideration to solicit Bids to install Phase IV of the Arboretum Plan, and this Plan was provided to the Board this evening. He stated it is approximately fifty trees which will include a summer grove and a fall grove to be located between the existing basketball courts and the main access drive to the Park. He stated they will be under the Bidding limit which is \$10,700.

Ms. Tyler encouraged Township residents to go to Memorial Park as there are activities for all ages including the all-inclusive playground, the 1K walking track, and the Arboretum with signage along with the Garden of Reflection.

Ms. Tyler asked for a timeline on the potential planting; and Mr. Eisold stated the goal is to go out to bid soon, and they feel mid-April would be optimum planting time.

Ms. Tyler stated Mr. Fritchey suggested that they have an Arbor Day event at Memorial Park, and she asked Ms. Reiss to work on this with the Special Events Committee. Mr. Fritchey stated he also feels they should invite the science teachers from the School District so that they are aware of it, and can fit it into their science curriculum.

Mr. Lewis stated planting these trees will be helpful for the basketball courts as it will provide a reference point.

Ms. Sovinee stated she had heard that there was speculation that there were some trees from this program that would be going to Patterson Farm, and asked if that is being considered. Mr. Benedetto stated it is part of the Master Plan, and they wanted to speak to the Artists of Yardley and Mr. Sam Stewart to get input on this.

Mr. Lewis moved, Ms. Reiss seconded and it was unanimously carried to approve the Phase IV Arboretum Plan for Memorial Park.

APPROVAL OF CERTIFICATE OF APPROPRIATENESS FOR FLOWERS FIELD NEW UNIT DESIGN (JASMINE), 751 STONY HILL ROAD

Mr. Fedorchak stated this is the Flowers Field Residential Development being constructed by DeLuca Homes; and they have submitted an Application for a new design, the Jasmine, and the Board had been provided color copies of this design. Mr. Fedorchak stated HARB did approve this new design.

Mr. Lewis moved, Mr. Benedetto seconded and it was unanimously carried to approve the Certificate of Appropriateness for Flowers Field New Unit Design, the Jasmine, at 751 Stony Hill Road.

Mr. Truelove stated the Board met in Executive Session beginning at 7:00 p.m. and items of litigation involving the Trenton-Mercer Airport, Zoning issues, and personnel issues were discussed.

#### APPROVE EXTENSION REQUESTS FOR DOGWOOD DRIVE AND CAPSTONE TERRACE

Mr. Benedetto stated Capstone Terrace is the proposed apartment complex, and that property is currently approved for 180,000 square feet of Office/Research. Mr. Benedetto asked if there has been any movement with them going before the Zoning Hearing Board for Zoning relief, and Mr. Truelove stated he has not heard about any activity on that parcel since the last time Mr. Dwyer was present. Ms. Reiss stated at the Planning Commission Mr. Dwyer showed a Retail plan which she feels would fit in with a village concept, and she felt it was very nice looking.

Ms. Tyler asked for background on Dogwood Drive, and Mr. Truelove stated that is a development in the northern part of the Township that has been under consideration for a long time. He stated it is a smaller development, and they need a little more time.

Ms. Reiss moved, Mr. Benedetto seconded and it was unanimously carried to approve the Extension request of Dogwood Drive until June 30, 2017.

Mr. Lewis moved, Mr. Benedetto seconded and it was unanimously carried to approve the Extension request of Capstone Terrace until June 30, 2017.

#### ZONING HEARING BOARD MATTERS

With regard to the Benjamin Pulver Variance request for the property at 881 Patriot Drive in order to permit construction of a fence resulting in encroachments into side and front yard setbacks and higher than height permitted in the front yard, it was agreed to leave the matter to the Zoning Hearing Board.

With regard to the Randall S. and Barbara Basheda Variance request for the property located at 1709 Makefield Road in order to permit construction of an addition and expansion of existing deck resulting in greater than permitted impervious surface and encroachment into the rear yard setback, it was agreed to leave the matter to the Zoning Hearing Board.

#### SUPERVISORS REPORTS

Ms. Reiss stated the Special Event Committee will meet next Thursday, and she asked those interested in helping out to come to the meeting.

Mr. Lewis stated the Economic Development Commission is close to completing its Township map that is advertiser subsidized and does not cost the taxpayers anything. He stated the Environmental Advisory Council met and discussed a number of issues including revisions to the Tree Ordinance as well as review of development projects and the potential for Elcon Phase II if it should arise. Mr. Lewis stated the Golf Committee met and reviewed the end of year financials for 2016. He stated they would like to meet with the new Finance Director to review their reporting to make sure it ties in with the Township reports so that there is good linkage.

Ms. Tyler asked Mr. Lewis to suggest to the Golf Committee that they consider a Veterans discount. Mr. Lewis stated that was discussed at the meeting, and they wanted to do some further research and to do a model revenue impact on this. Mr. Lewis added that the Golf Course is premium priced for non residents, and it can command that price; however, there needs to be a balance for those who have served, and they are looking into that.

Mr. Benedetto stated the Planning Commission met on Monday, and the Comprehensive Master Plan was discussed. He stated they will make a recommendation on this on February 27 so that it can be on the Board of Supervisors' Agenda on March 1. Mr. Benedetto stated Mr. Peter Solor from the EAC was at the Planning Commission meeting, and there was discussion about a joint meeting of the Planning Commission and the EAC in order to look at the 2009 Open Space document which should be updated. Mr. Benedetto stated the Planning Commission also discussed looking at the Zoning regulations and putting together an Ad Hoc Committee or just review them with the Township staff as to fees and some consumer-friendly changes so that residents would not have to come in and spend \$500 to get Zoning relief for something that is fairly common. Mr. Benedetto stated he does not feel this has been updated for at least a decade.

Mr. Benedetto stated the Trenton-Mercer Airport Review Panel did meet with Congressman Fitzpatrick on Saturday to update him on some of the issues. Mr. Benedetto stated the Airport Review Panel will be meeting at the Township Building on February 20 at 7:30 p.m. and it is a public meeting. He stated they still have two openings on the Review Panel. He stated currently they have six members and one Associate member. Mr. Benedetto asked those interested in serving on this Panel to send their resume to Mr. Fedorchak. Ms. Tyler stated anyone interested in this issue can attend their meetings.

#### TABLING CONSIDERATION OF ADDENDUM TO LEASE WITH AMERIPRISE FINANCIAL

Ms. Tyler stated Mr. Fedorchak has indicated that this matter is premature to be on the Agenda, and it was agreed to Table this matter.

#### APPROVAL OF EXECUTION OF CONSERVATION EASEMENT FOR OAKMONT (FORMERLY MOON NURSERIES)

Mr. Fedorchak stated the Oakmont Development (Moon Nurseries) is getting close to the point where they can start issuing Building Permits. He stated the Conservation Easement needed to be resolved and the Stormwater Management Plan needed to be finalized. Mr. Fedorchak stated the EAC has signed off on the Conservation Easement and is recommending approval by the Board of Supervisors.

Ms. Reiss moved, Mr. Lewis seconded and it was unanimously carried to approve the Conservation Easement for Oakmont as outlined by Mr. Fedorchak.

#### ANNOUNCEMENT OF HIRING OF PUBLIC WORKS DIRECTOR AND DIRECTOR OF PLANNING AND ZONING

Ms. Tyler announced that Lower Makefield has hired Mr. Greg Hucklebridge as Public Works Director, and she reviewed his education and experience adding that he had also served on the Township's Sewer Authority; and that he and his family reside in Lower Makefield Township.

Ms. Tyler announced that they have also hired Mr. Jim Majewski as Director of Planning and Zoning, and she reviewed his education and experience adding that he had also previously served as the Township Municipal engineer; and that he and his family reside in Lower Makefield Township.

February 15, 2017

Board of Supervisors – page 15 of 15

Ms. Tyler noted that both Mr. Hucklebridge and Mr. Majewski will start on Monday, February 27, 2017 adding that Lower Makefield is very fortunate to add professionals of this caliber to the team.

There being no further business, Mr. Fritchey moved, Mr. Benedetto seconded and it was unanimously carried to adjourn the meeting at 9:05 p.m.

Respectfully Submitted,

John B. Lewis, Secretary