

TOWNSHIP OF LOWER MAKEFIELD  
PLANNING COMMISSION  
MINUTES – AUGUST 28, 2017

The regular meeting of the Planning Commission of the Township of Lower Makefield was held in the Municipal Building on August 28, 2017. Mr. 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  
   Craig Bryson, Member

Others:                             Jim Majewski, Director Planning & Zoning  
   Barbara Kirk, Township Solicitor  
   Maryellen Saylor, Township Engineer  
   Jeff Benedetto, Supervisor Liaison (joined meeting in progress)

Absent:                             Charles Halboth, Member

APPROVAL OF MINUTES

Mr. Bryson moved, Mr. Tracey seconded and it was unanimously carried to approve the Minutes of July 10, 2017 as written.

DISCUSSION OF ORDINANCE AMENDMENT PROCESS

Mr. Majewski stated at the last Board of Supervisors meeting he gave a presentation about the issues they run into with Zoning, Subdivision and Land Development, and Code Enforcement-type issues that are within the Subdivision and Land Development and Zoning Ordinances and stand-alone Ordinances, and discrepancies that they found in the Ordinances. He stated he had provided the Planning Commission members with a copy of the power point presentation that he had made to the Supervisors.

Mr. Majewski stated the Township Code was last codified in 1996, and this is when you take all the Amendments that have been made since the last time they were compiled into one book; and you put them within the Code so it is seamless. He stated there have been over one hundred legislative Amendments adopted since that time that ultimately need to be codified into the Code Book.

Mr. Wallace asked the average cycle for codification, and Mr. Majewski stated one town he worked with was fifty-two years and another town was ten years. He stated twenty to thirty years is about average.

Mr. Majewski stated most of the Amendments were minor. He stated typically there is a supplement printed which is then put in the Code Book.

Mr. Benedetto joined the meeting at this time.

Mr. Majewski stated before it is codified he feels they should amend some of the Ordinances that are outdated. He stated the Planning Commission has seen this for Subdivision and Land Development Applications; and the project with the least number of Waivers was the Snipes Tract, and other projects have averaged between twelve and twenty-five Waivers. Mr. Majewski stated many of these Waivers come up all the time, and the engineers, solicitors, and Applicants all agree that the standards are outdated.

Mr. Majewski stated the Zoning Ordinance was last amended in 2015, and the Subdivision and Land Development Ordinance was last amended in 2014 which was the Tree Replacement Ordinance when they added in a requirement that any trees that are required to be placed on a property do not count as replacement trees; and he feels everyone agrees that should be amended because planting trees is replacing trees.

Mr. Tracey stated the presentation on this that was made by Boucher & James was a re-work of the statistics for the Tree Replacement Ordinance. He stated he feels something needs to be done with this; and Mr. Majewski stated he feels that everyone agrees that it needs to be re-worked in some fashion, although the Planning Commission did not feel comfortable with the proposal that was presented to them. He stated he feels this needs to be re-visited during this process.

Mr. Majewski stated the Code contains a number of outdated standards and requirements which are inconsistent with current laws, policy, and engineering practices; and a comprehensive review needs to be done.

Mr. Tracey stated the Building Code Ordinance still references the 1989 BOCA Code, and they are using ICC now. Mr. Majewski stated there are two references in the Code – one references building construction and references BOCA (Building Officials Code Administrators), and the other references the ICC. He stated the BOCA Chapter should be deleted as there is a separate Chapter that references the ICC Codes that are current.

Mr. Majewski stated he feels the process should be broken into short-term, mid-term, and long-term goals as he presented to the Board of Supervisors. He stated a short-term goal is to take Zoning issues that constantly go to the Zoning Hearing Board which hears the Appeals and typically grants them subject to certain Conditions. He stated these issues include impervious surface, fences in easements and on corner lots, etc. He stated they are sending people to the Zoning Hearing Board and making them pay \$500 when these items could be included in the Code listing the Conditions they would need to follow. Mr. Majewski stated this would save the residents the \$500 as well as save the Township money since the Township usually loses money on these Applications because they have to advertise the Applications, and pay the Court Reporter, Zoning Hearing Board solicitor, the Recording Secretary, and sometimes the Township solicitor and Township engineer. He stated it is a burden to the residents without providing any benefit to the community as a whole.

Mr. Majewski stated another short-term goal would be to address Code Enforcement issues as they are dealing with outdated Codes. He stated they have provisions for fines and provisions to go to District Court when it should be sent up to the County. Ms. Kirk stated Code violations that fall under classifications dealing with public welfare, health, safety, housing, etc. get treated as quasi-criminal; and they are designated as summary offences. She stated if it is a Property Code violation, generally the Township sends out a Notice of Violation to the property owners; and if the property owner does not respond within the required timeframe to abate the violation, what happens is the next course of action is for the Township to file a Complaint in the local District Court. She stated the limitations are the Judge cannot order a property owner to do something, and can only impose fines. She stated they could be in a local District Court three or four times, and the property owner gets a maximum of up to \$500 total in fines, but the outstanding issue still exists. Ms. Kirk stated the Township then has to pay extra money to file in Doylestown. She stated if the violation exists and you go one time to the District Judge and fines are imposed, but the property owner does not abide by it, they should have it built into the Code that the Township has the option to then automatically file in the Common Pleas Court where the range of powers is much broader in front of that Judge. Ms. Kirk stated in the Zoning Ordinance, the violations are such that they typically have a Cease and Desist; and if the property owner does not either abate the violation or file an Appeal to the Zoning Hearing Board within thirty days, the choice generally under our Code is for a Civil Complaint to be filed with the Municipal District Judge. She stated again this only opens the Township to collecting fines and it does not solve the problem. She stated there is Case Law that says that if a property owner does not abate the Zoning violation within the thirty days or file an Appeal with the Zoning Hearing Board, the Township, if they file a complaint in Common Pleas Court, it is automatically a de facto violation that exists, and the Township can then just pursue other remedies to update the violation.

Mr. Wallace asked Ms. Kirk if she has had experience in other Townships streamlining it the way she has suggested, and Ms. Kirk stated she has.

Ms. Kirk noted a property in the Township that has been a problem for years, and they are not maintaining the exterior of the property. She stated they took it in front of Judge Burns a number of times, and he would impose fines of \$100 on the property owner, and the property owner would pay the fine; and later there would be more complaints being called into the Township. She stated another complaint has been filed, and she would rather file it in Doylestown where she could ask the Judge to give them the ability to do the clean up and lien the property. She stated there are a number of remedies available.

Mr. Majewski stated they are not looking to punish people, but they want them to comply. Ms. Kirk stated the Property Maintenance Codes are designed to ensure that properties are kept in accordance with minimum standards. She stated if they take a property owners to Court and all they can do is assess fines, it is not solving the problems; and it is more of a financial burden to the property owner instead of that money being used to clean up the property. Mr. Wallace asked about the property owner who is assessed a \$100 fine, but also cleans up his property; and he asked if they are now going to be subject to a more severe penalty by putting this change into place. Ms. Kirk stated they will not, and what she is referring to are those cases that are habitual offenders; and there are a handful of those in the Township that come up every three months. Ms. Kirk stated typically most people will contact the Township right away if they receive a letter from the Township; and as long as things are being done constructively, it will not go past that.

Mr. Majewski stated in the hand out he provided, it included the impervious surface calculations; and based on the size on your lot, if you are within a certain range, you are allowed a certain percentage of impervious surface, and when you go up to the next range, you are allowed a certain percentage of impervious surface. He noted the two graphs prepared show that when your lot gets a foot bigger at the break point, you lose the ability to add to your property; and you are allowed to have less on your property than the smaller lot. He stated the most drastic example is if you have a 10,000 square foot lot in an older development, you are allowed 4800 square feet of impervious surface which is almost 48%; and when your lot gets one square foot bigger, you are only allowed 2900 square feet. He stated this needs to be smoothed out so that it is fair and equitable to all property owners. He stated approximately 15% to 20% of the Variances that come up for impervious surface would have met the requirements if their lot was smaller; but since their lot is larger, they do not meet it.

Mr. Bryson stated he has read hundreds of Ordinances, and he has never seen it broken down like the Township does it.

Ms. Kirk asked if there is a way to level out the impervious surface requirements and add in provisions under Stormwater Management that could alleviate the need to come in front of the Zoning Hearing Board, and Mr. Majewski agreed. Ms. Kirk stated at the Zoning Hearing Board level they grant Variances subject to the Condition that the homeowner installs a stormwater management facility subject to the approval of the Township engineer that has the net effect of reducing or keeping the impervious surface at its present level, and she was wondering if there was a way to build that into the Ordinance. Mr. Majewski stated there are two separate Stormwater Ordinances – one for the Neshaminy Creek Watershed and one for the Delaware River South Watershed. He stated both of those currently require any increase in impervious surface to provide stormwater management. He stated although the Zoning Hearing Board always makes the Condition that Ms. Kirk has referred to, it is in the Ordinance already. He stated they take the number down lower than just the increase, because a lot of the older lots are already over the percentage allotment. Mr. Majewski stated the Ordinance can be adjusted to work so that they do not allow people to pave over their whole yard and still capture the stormwater run off. He stated the provisions for stormwater management are already in the Ordinance, but they should spell them out more clearly.

Ms. Kirk stated calculations for parking requirements should also be addressed as they seem to be very outdated. Mr. Majewski agreed, but feels that would be an issue to address long-term.

Mr. Majewski stated another issue is fences. He stated there are problems with corner lots as they have two front yards – one in the front and one on the side which both front on roads; and they are only allowed to have a 3 foot fence in the 40' to 50' setback from the road on the side so they lose 20% of their rear yard that cannot be fenced in. He stated the Zoning Hearing Board has granted a number of Variances for these subject to Conditions such as putting landscaping in front of the fence and pushing the fence back a certain amount. Mr. Majewski stated if something is being allowed constantly, it should be allowed in the Ordinance subject to whatever Conditions the Township feels are appropriate. Mr. Majewski stated there are many fences on corner lots in the Township most of which are not objectionable provided they are set back somewhat.

Mr. Majewski stated the Ordinance also has requirements for enclosures for swimming pools and the height required is 5' while the International Building Codes all say they should be 4'. He stated he checked a number of other Townships, and they all have 4' as the requirement. He stated the International Codes are done

for safety; and he sees no reason to make it a foot higher. He also stated some of the spacing on the slats do not match with the International Building Codes. He stated this costs the homeowners more money if they want to put in a pool.

Mr. Majewski stated another item that would be easy to fix is with regard to handicap parking spaces. He stated the Township requires they all be 13' by 20'. He stated if you have two handicap spaces which are 8' wide with a 5' aisle in between, it leaves enough room for a vehicle to park and provide access for a chair lift or wheelchair; and this meets the Americans with Disabilities Act Accessibility Code. He stated he would recommend that they just be in compliance with the Americans with Disabilities Act. Mr. Majewski stated also the Township does not match the ADA requirements for the number of handicap spaces, and the Township requires a lot more handicap-accessible spaces than are necessary. He stated the ADA requires one space for every twenty-five parking spaces up to 100, and it is then one for every fifty up to 200, and then over 200 it is a percentage of the numbers. He stated the Township does not follow this, and they require one for every twenty-five spaces; so there are many more handicap-accessible spaces than needed. Mr. Wallace stated Mr. Majewski is just proposing that they comply with the American Disabilities Act. Ms. Kirk stated they should come into conformity with current law, and Mr. Majewski agreed.

Mr. Wallace stated Mr. Majewski had indicated they should adopt the 2012 or 2015 version of the ICC International Property Maintenance Code, and he asked what were the differences. Mr. Majewski stated the Township is currently using the 1996 version; and the Code Enforcement Officer reviewed both versions, and preferred the 2012 version. Mr. Wallace asked why you have a choice; and Ms. Kirk stated when the State passes the regulations, they put certain caps on different items so if the Township adopts that version, they cannot make an Ordinance more stringent than the version of the International Property Maintenance Code. She stated depending on what version they adopt will determine whether the Township can make something a little more stringent than not.

Mr. Majewski stated Pennsylvania has the Uniform Construction Code which states in order to make it more uniform for builders, homeowners, construction inspectors, Building Code Officials, and Townships, they would adopt a standard Code throughout the State of Pennsylvania. He stated as part of that Code, the State adopted a number of Codes from the International Code Council, and they currently have adopted the 2009 International Building Code, International Residential Code, Mechanical Codes, Plumbing Codes, etc.; however, they do not regulate property maintenance and they left that out of the Uniform Construction Code and left it up to Municipalities as to whether or not they wanted to adopt it. He stated they also left out the Fire Code, and they left that up to Municipalities as to whether or not they wanted to adopt a Fire Code and which version.

Ms. Kirk asked if there were not certain provisions in the current versions of the International Residential Code, etc. that if there were violations in enforcement that you had to go to the State Department of Labor as opposed to it being done through the Municipal level; however, Mr. Bryson disagreed. Ms. Kirk asked if there was not something included where the Department of Labor had control. Mr. Majewski stated Labor and Industry, which is the State entity, regulates all elevators.

Mr. Bryson stated at the State when you go for an interpretation of the 2015 version, they will automatically default to 2012. Ms. Kirk stated when they first started, you had to go right to L & I for an interpretation; and it could not be done at the Township level. Mr. Majewski stated he believes that was five to ten years ago.

Mr. Majewski stated even though the International Code Council has the 2015 Code out, the State still uses the 2009 Code; and they are debating next year about going to the 2015 Code at which time the Township Ordinance has a provision to automatically adopt it as Amended so the Township would automatically be at the 2015 Code. He stated for the Property Maintenance Code, Lower Makefield is twenty years “behind the times;” and he would recommend either the 2012 or 2015 version of the Code. He stated one problem the Township Code Enforcement Officer has is that it grandfathers in fire alarm systems if they were approved at the time; and he feels this is one provision the Township could change itself and say adopt the 2015 Code except for that one provision that they want to do differently. He stated they should also say “as amended,” so that when the 2018 Code comes out, they can adopt the 2018 Code just by reference.

Mr. Bryson stated he would recommend adopting the 2015 Code. Mr. Bryson asked if Lower Makefield has its own Fire Code, and Mr. Majewski stated they currently use the 2000 Fire Code. Mr. Majewski stated the International Code Council recommends the 2009 Code because that is what they use for all the other Codes.

Ms. Kirk asked about the proposed process; and Mr. Majewski stated in the information he had sent, he had provided recommended Zoning Ordinance Amendments, and he stated it will be sent in a format like that showing the Code Section and marking up what should be deleted and what should be added in. He stated they can then comment accordingly. He stated at the next Planning Commission meeting he would like to discuss approximately a dozen of the more simple changes.

Mr. Majewski stated one of the easier ones would be whether Variances should expire after six months or should they expire after a year or longer, and he stated he feels it should be a year. Ms. Kirk stated some Townships make a distinction; and if it is a Use Variance, it is a year; and if they are dimensional Variances, they grant them two years. Mr. Majewski stated while he does not feel the time should be open ended, it does not rule out that you cannot ask for an Extension which people have done and it is generally granted. He recommended that they change it to one year for a Use Variance and two years for dimensional Variances. He asked that the Planning Commission provide input if they have any other ideas that would be fair and equitable to the property owners and the community as a whole.

Mr. Majewski stated there are items in the Subdivision and Land Development and Zoning Ordinances that are Code Enforcement related which they should consider. He stated they need to have a mechanism to make sure there is compliance.

Mr. Majewski stated after they consider the quick fix items, they could start considering the more long-term issues at one meeting a month of the Planning Commission. He stated one of these would be the parking requirements which do not match up with the way businesses/offices work today. He also stated there are definitions with regard to the Use requirements that are not up to date. He stated there are people renting out their houses as airbnbs and every weekend there are different people coming in to the home which is of concern to the other neighbors. Mr. Majewski stated the Ordinances should address this more clearly so that there are reasonable limits on the use of your property.

Mr. Bryson stated they also need to address Applications for pot facilities which will be coming, and they need to be able to control where these will go. Ms. Kirk stated they also need to consider the distinction between a growing facility versus a dispensary. Mr. Majewski stated Bucks County Planning Commission has a draft Ordinance for this, and Mr. Bryson agreed adding it has been adopted in a number of nearby Townships. Mr. Majewski stated they do want to determine where these uses would be permitted.

Mr. Majewski stated under the Subdivision and Land Development Ordinance, they currently require twenty-five sets of Plans; however, they usually only distribute eight to ten sets and throw the rest away. He stated it costs the developer thousands of dollars for these Plans, and it provides no benefit to the Township. Mr. Majewski stated this is the electronic age, and they could receive the information electronically and get half-size sets so that the Planning Commission members could look at those Plans.

Ms. Kirk stated this would make sense as the Recorder of Deeds has a limitation on the size of the Final Plan that can be Recorded. Mr. Majewski stated the Township has a significant amount of paper that is being stored that they do not need.

Mr. Wallace asked if it states anywhere the reason for providing this number of sets, and Mr. Majewski stated there is something that says different Boards and Committees get sets so that they can weigh in on the Plan. He stated he has spoken to several of the Commissions, and most of them do not want the entire set of Plans; and they are just looking for the Site Plan, parking, roads, etc. He stated he knows that the Police only want the Plan that shows the traffic signs, road lay out, entrances/exits, striping; and that is the only sheet they need.

Ms. Kirk stated the Fee Schedule also needs to be changed as well. Mr. Majewski agreed. He stated the Township currently does not have a Fee for the Sketch Plan which is voluntary. He stated there are two ways a developer can proceed. He stated one is an informal Sketch Plan where they can come before the Planning Commission to show what they are proposing, but they are not asking for a review by the Township engineer, traffic engineer, sewer engineer, etc. He stated at other times the developers want those reviews; and in the past they have not always asked them for money up front for those reviews, and they should have to pay for the services of the Township professionals and consultants to do a review. A Fee Schedule has been suggested for this which needs to be reviewed. He stated the developer would not have to get a professional review, and they can come before the Planning Commission for an informal review.

Mr. Majewski stated another item which needs to be considered is Dedication of public improvements. He stated there are projects that are just “languishing,” even though the development has been done for a few years. He stated currently there is nothing in the Code that indicates clearly what the developers’ obligation is to get everything done so that it can be Dedicated to the Township where applicable. Mr. Majewski stated currently there is a development which was started twelve years ago, and it is still not Dedicated. He stated the last home was finished twenty months ago, and the developer is still not taking any steps toward finishing the last few items involved with paving the road. He stated the residents have a road that is twelve years old and probably needs to be patched. He stated they need to put stronger language in the Ordinance to make it clear as to the responsibilities for Dedication and include timeframes so that these projects do not languish. Mr. Majewski stated in the past when the developer has been presented with the fact that the Township was going to take their Bond, the developer has done the work. He stated at this point they have to go through legal steps so something should be put in the Ordinance that indicates what needs to be done within a certain period of time.

Ms. Kirk stated they should indicate in the Subdivision and Land Development Ordinance that certain improvements need to be completed with Township final inspection within a certain period of time. Mr. Majewski stated while currently the Township does have the right to make a claim on their Bond, the Township would have to take legal steps to do so which would cost money. He feels what he is proposing would provide an extra level of protection if it were in the Ordinance.

Mr. Bryson stated another issue seen frequently is to provide a survey on the adjacent property. Mr. Majewski stated the Ordinance requires that they show all major manmade features within 200' of the property. He stated that requirement was before the age of aerial photographs which could be overlaid on the site, and it previously had to be done by survey.

Ms. Kirk asked if there are any issues of Notice under the Zoning Ordinance, and Mr. Majewski stated they have not had any issues with Notices.

Mr. Majewski stated he has a list of items; but if the Planning Commission members have other items, they should send them to him. He stated the ultimate goal is to better serve the residents and guide them in the way we want the community to look without overburdening them with regulations and Fees.

#### PUBLIC COMMENT

A number of people were present in the audience, and Mr. Tracey stated they will accept public comment on the Agenda item that was just discussed. He stated they have found that there are Township Ordinances that are out of date and occasionally conflict, and Mr. Majewski and other officials in the Township will be working over time on trying to resolve those inconsistencies.

Ms. Beth Cawley stated she was at the last Board of Supervisors meeting but had to leave early, and there was discussion about changing the Zoning that was originally Office Research to Residential. Mr. Majewski stated that is not part of anything they are doing currently. He stated there was discussion as part of the Comprehensive Plan to look at the Zoning in the O/R (Office Research) Zoning District to have the Board of Supervisors consider looking into the possibility of having Mixed Uses in that area. Ms. Cawley stated O/R is on the road between Yardley and Newtown where there is a farm on the right. Mr. Majewski stated that is Residential. He stated the O/R is the area at Shady Brook Farm, the Office Park across the street from Shady Brook Farm where the Hampton Inn is located, and all the way down on that side of the road to Langhorne-Yardley Road.

Mr. Tracey advised Ms. Cawley that is something that would be done separately from what they are discussing this evening. He stated what they are discussing this evening is revising Ordinances that are currently in existence. He stated if the Board of Supervisors decided that they would approve language that gave more flexibility to the Office Research concept, that would have to go through a whole separate process.

Ms. Cawley asked if that would take a while since she heard it stated that sometimes it is difficult for people to develop in the Township, but she did not know how much development they ultimately want. She stated she feels at a certain point they should want it to stop developing in the Township and keep it more “pristine.” Mr. Majewski stated this is one of the reasons they want to look at the Code as it currently has a number of inconsistencies, and it is not providing exactly what they want out of the Ordinances. He stated the first round of changes he is proposing all impact residents such as residents who cannot put up a shed on their property although their neighbor with a smaller lot can. He stated there are lot of people who have a buffer easement in their yard where it was required to plant buffer trees, and they are not allowed to put a fence within that buffer easement although the Ordinance in one Section says buffer easements must contain a fence.

Ms. Burke stated nothing that is being proposed is changing the use of anything.

Ms. Cawley stated with regard to the discussion regarding pool fences, she stated she has a pool; and she should would be nervous with a four-foot fence as a deer could leap that and anyone could climb over a four-foot fence. Ms. Kirk stated what Mr. Majewski was referring to was maintaining continuity with other State agencies that state that there needs to be a minimum of a four-foot fence, and that would not preclude anyone from installing a higher fence.

Ms. Jeannie Ipsick stated she feels what is proposed seems logical, and she asked how they could get a list of what they are proposing. Mr. Majewski stated the presentation he gave to the Board of Supervisors on this has been posted on the Township Website. Ms. Ipsick stated she heard that there was discussion about changing the Zoning laws from Light Commercial/Office to Residential. Mr. Majewski stated it would not be changed to Residential. He stated what was discussed as part of the discussion about the Comprehensive Plan was a Mixed Use that could include a small component of Residential. He stated he heard that someone had indicated that there would be “thousands of apartments;” however, that would never pass.

Mr. Bryson stated the only way to stop development is to buy the property. He stated the Patterson Farm is a perfect example as they put it out to vote, and the residents stated they would “kick money in,” a Bond was posted, and it was preserved. He stated the only way to stop development is if you own it. Mr. Bryson stated the only thing they can do is mandate development strategies, etc. He noted the Capstone Terrace property which is Zoned Office Research; and if you go into the Zoning Code, anything under O/R is listed to be developed there. He stated right now it is mainly for Office and Office Research. He stated if you go across the street, there is 75,000 square feet of building that is there that is empty along with large pavements that no one is using to accommodate a 75,000 square foot office region that is not being used. He stated as a planning group, they are thinking does it warrant investigation to see if that is the best way to use that land. He stated he personally feels they should look at different options because he does not want 150,000 square foot of office that is empty because they cannot lease it with a “sea of parking” outside of it. He stated he does not know how it came out that they wanted to put 1,000 apartments there; and all they are saying is they want to look at it and maybe they can apply a different mechanism to develop that land a little better and a little bit smarter.

Ms. Ipsick stated what she is asking is how she could know when they will look at that to make some changes as she wants to stay aware. Mr. Majewski stated if the Planning Commission decided they want to pursue this, they would have to get the Board of Supervisors to agree that is something they would like the Planning Commission to look into. He stated if so, the Planning Commission would put it on their Agenda; and if the Planning Commission decides they have a good idea, they would send it to the Board of Supervisors with a recommendation. He stated it would have to be published in the newspaper and would be posted on the Township Website. He stated the Notice would state the time and place of the Hearing and people can present arguments for and against the Ordinance amendment. Mr. Majewski stated the first publication must be not more than thirty days from the date of the Hearing, and the second publication not less than seven days before the date of the Hearing. Mr. Majewski stated property owners that are effected would be notified.

Mr. Wallace stated as they consider updating Ordinances, they may also want to consider how they notify the public.

Mr. Benedetto stated changing the Ordinances is one thing, but they have also discussed updating the Comprehensive Plan which is usually adopted every ten years. He stated the last time it was updated was March, 2015; however, it was

never officially adopted by the Board of Supervisors. Mr. Benedetto stated that document is a road map, and there was a lot of concern about considering changes to the O/R District to consider other uses like Residential or Mixed Use.

Ms. Ipsick stated she feels they should just leave that land alone; however, Mr. Bryson stated the Township does not own it. Mr. Benedetto stated there is a Curative Amendment, and the owners could challenge it in Court because they cannot use the property. Mr. Benedetto stated there is a piece of property in that area that has 50% occupancy, and that does not benefit the Township as the Township does not get any revenue derived from the Office Research. He stated the Township cannot “close their eyes” to a problem that exists. Ms. Ipsick stated she does not see it that way as the developer knew what it was when they bought it.

Mr. Majewski stated he has been posting information on the Township Website. He stated with regard to the Snipes Tract they posted most of the information for that including the review letters, the EIA, and renderings of the Plan.

Mr. Tracey stated the Agendas for the Planning Commission and the other major Committees are posted on the Website as well. Mr. Majewski stated typically for the Planning Commission he posts these anywhere from a week before the meeting to the Friday before the meeting. He stated he is hoping in the future to set the Agenda a week in advance so that it would be set the Monday before the next Monday’s meeting and post the information that will be spoken about for that Agenda item under the Planning Commission tab on the Township Website. He stated if residents go to the Website, they will have enough time to see what will be on the Agenda.

Mr. Richard Havrilla, 15 Lower Hilltop, asked why the Planning Commission does not open the meeting with the Pledge of Allegiance. Mr. Tracey stated they have never done it although the Board of Supervisors do. Ms. Kirk stated to her knowledge, it has never been a protocol of any of the Township Boards.

Mr. Havrilla stated he feels it would be a good thing.

There being no further business, Mr. Wallace moved, Mr. Bryson seconded and it was unanimously carried to adjourn the meeting at 8:45 p.m.

Respectfully Submitted,

Chad Wallace, Secretary

