

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES – FEBRUARY 21, 2018

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on February 21, 2018. Mr. Lewis called the meeting to order at 7:45 p.m. and called the Roll.

Those present:

Board of Supervisors: John B. Lewis, Chairman
 Fredric K. Weiss, Vice Chair
 Daniel Grenier, Treasurer
 Suzanne S. Blundi, Supervisor

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

Absent: Kristin Tyler, Board of Supervisors Secretary

PUBLIC COMMENT

Mr. Tony Kehoe, 476 Liberty Drive, stated he understands that there was progress toward an Easement on the Oxford Valley tract. Mr. Truelove stated they have contacted the County; and in the wake of Ms. Lynn Bush's retirement, the County has been a little slow in responding, but they are working with them similar to what they did with Satterthwaite, and he hopes to have an update.

Mr. Harold Kupersmit, 612 B Wren Song Road, stated he will be filling in the Supervisors in the future about gamblers and the IRS.

Mr. Zachary Rubin, 1661 Covington Road, stated that Mr. Lewis had indicated that a speaker has three minutes of uninterrupted time during Public Comment; but he would maintain that Public Comment should be germane to Township business. He stated if something is dilatory or not germane, he feels the speaker should be interrupted because public speaking should have to do with Municipality business.

Ms. Sue Herman, President of Residents for Regional Traffic Solutions Inc. (RRTS), was present. She stated she would like to request to broaden the goal of the current PennDOT Study and make the central point to determine how to keep trucks on Interstate 95. She stated they have all received the 470-page document from RRTS

dated January 18, 2018. She stated she hopes the Board has at least read the eleven page cover letter and the thirteen minute video titled “Bypassing the Bypass.” Ms. Herman stated residents are concerned that the outcome of the current PennDOT Study will lead to increased dangerous traffic conditions on other roads throughout LMT and the region. She stated the current study consists of a non-comprehensive approach to studying truck traffic and the request to weight-restrict roadways. She stated it has been the experience of RRTS that the artificial and prolonged weight-restriction of roadways leads to even more dangerous traffic conditions on neighboring roadways in the region.

Ms. Herman stated she requests that the LMT Supervisors make a Motion this evening to broaden the Study, the goal of which is to keep trucks on Interstate 95. She stated this reframing of the Study will enable us to find solutions that do not include weight-restricting roadways, but result in keeping trucks on the highway. She stated as part of the Motion, she asked that the Board formally initiate a written request to Secretary of Transportation Leslie Richards to broaden the Study, the goal of which is to keep trucks on Interstate 95.

Mr. Lewis stated he would be comfortable with a Motion requesting widening the scope of the Study to analyze all of the different paths off the highway within the area. He stated he feels they should escalate it to the District 6 Supervisor of PennDOT since they will be the ones dealing with the Study. He stated he would not have a problem writing a letter to State Representative Warren or to Leslie Richards.

Ms. Herman stated she would request that it go to Secretary Richards since the current request went to her. Ms. Herman stated if all of these “creative minds” come together, she hopes that there will be very creative ways of keeping the truck traffic on I-95 which will solve the problems that they are aware exist, and she asked that the Board make that clear in the Motion.

Mr. Grenier moved to send communications to Representative Warren and the District 6 Supervisor at PennDOT as well as Transportation Secretary Leslie Richards requesting that the Traffic Study dealing with traffic in Yardley Borough be broadened in scope.

Ms. Herman stated it should be broadened in scope and reframed to determine how they can keep truck traffic on Interstate 95 rather than how they can keep it off Main Street in Yardley and River Road in Lower Makefield Township.

Mr. Grenier agreed to add Ms. Herman’s comments to the Motion. Ms. Blundi seconded and it was unanimously carried.

Ms. Kathleen Webber, 1801 Makefield Road, stated they were in front of the Zoning Hearing Board last evening for the second time regarding a home at 1711 Makefield Road which is next to her home. Ms. Webber stated the owner was issued a Cease and Desist Order as they were running it as an Airbnb, and the Zoning Hearing Board voted that the Cease and Desist was issued illegally. Ms. Webber stated the residents were asked to come to the Board of Supervisors meeting tonight to appeal to the Board about writing a new Ordinance. Ms. Webber stated William Harrison and his family moved into the home in 2015. She stated in the spring of last year, they tried to sell their house unsuccessfully, and in July of 2017 they started renting it out on Airbnb. She stated they moved out of the residence and into Mr. Harrison's home in Upper Makefield, and they are no longer residents of the Township.

Ms. Webber stated at no time did the Harrisons contact the Township to ask permission to rent it as an Airbnb. She stated he began renting the property immediately, and the neighbors had no idea what was going in; but they saw large parties, renters were parking on her law, there was basketball playing at 6:00 a.m. and 12:30 a.m., there was a lot of drinking in the streets, and it was loud. She stated at times there were ten cars parking in the driveway and on the road making it hard for neighbors to get up and down Central Drive. Ms. Webber stated she has also had renters on her property taking photos, and she never knows what she is going to get on any given weekend.

Ms. Webber stated she serves on the HARB Board, and she made Mr. Majewski aware of what was going on in July as he attends their meetings. In August, 2017 Mr. Majewski sent out a Cease and Desist to the owners which they ignored. Ms. Webber stated the house was rented almost every weekend and sometimes during the week in the summer and the fall. She stated renters were even there last weekend. Ms. Webber stated Mr. Harrison has already rented out his property for half of this summer. She stated currently the neighbors feel like they live next to a hotel which is not regulated. She stated they have been told by the Zoning Hearing Board to call the Police when there are infractions, and they will.

Ms. Webber stated in the interim, she asked that the Township write a new Ordinance that will protect current homeowners in Residential neighborhoods. She stated they live within 2,000 feet of an Elementary School; and under Megan's Law sexual predators must register with local law enforcement to protect the public especially children from victimization by sexual offenders. She stated it is impossible to know who rents this home, and no phone vetting by an owner will reveal a criminal background. Ms. Webber stated Mr. Harrison has no vested interest in our community since he no longer lives here, but the residents are now dealing with the fallout of his business. Ms. Webber stated this house is no longer even on the market to sell. She stated there will be lower property values in

their neighborhood, and she questions who would want to buy a home in a neighborhood where they know there is a business being run nearby. She stated their quality of life has been compromised by this business. Ms. Webber asked what would prevent other people from coming into our community and buying homes for the express purpose of renting them out on Airbnb or other sites. Ms. Webber asked that the Board consider the effect this would have on all of the Township and not just Makefield Manor.

Ms. Webber stated Tinicum Township recently passed an Ordinance preventing rentals shorter than two weeks. She stated many present this evening bought in Lower Makefield because of the small town charm, the Schools, and because it was a safe place to raise families; and this is all in jeopardy if the Board allows these businesses to be unregulated. She asked if the Board lived next to a property where this was going on with strangers coming in every weekend and oftentimes drinking, would they want that next to them.

Ms. Sue Herman asked about the prior Motion she had discussed since it was pieced together. Mr. Lewis stated the meeting Minutes are available, and they would provide a copy of the letter that is sent out. Mr. Weiss stated if the goal is to keep trucks on I-95, he does not feel it would matter if they do not have specific roads listed in the Motion. Ms. Herman stated she wants it made clear to the Parties they are writing to that they are reframing what exists now so that they are changing the goal of the Study. She stated people could misconstrue what they are asking for because it is complicated and there are a “lot of players.”

Mr. Grenier stated he does some of these studies himself, and when writing letters of this type, it helps to refer to cumulative impacts and keep the scope as broad as possible in the write-ups with additional notes. He stated they could ask them to provide a cumulative impact analysis which forces them to broaden the scope as much as possible versus starting to dictate to them exactly how to do the Study, and that would likely work more in her favor than against.

Ms. Herman asked if they will be aware that the primary goal is to keep the trucks on 95, and Mr. Grenier stated that was in the Motion. He stated they could list additional areas of concern in addition to the Motion itself in the letter. Ms. Herman stated they currently ask them to weight-restrict River Road and Main Street in Yardley, and RRTS sent the Board a 470 page document why residents throughout the region are concerned about that; and that is why they would like that addressed.

Mr. Lewis stated the Township did not request the Study, and it was requested by State Representative Warren. Ms. Herman stated the request was certainly endorsed by Lower Makefield Township because they sent Representative Warren a letter endorsing his request to have that Study done so it was requested by

Lower Makefield Township. She stated we should not “play semantics” because detouring truck traffic is a “big deal” to a lot of people in this region who have had it happen to them.

Mr. Grenier stated he feels it works more in our favor to keep the scope broad in terms of how it is written and what we are requesting so that we allow the scientists and engineers who do these studies to cover all the basis versus just focusing on one or two roads. Ms. Herman stated that is her request as well – to make it broad. Ms. Herman stated if they do not get a broad study that protects the safety of residents, the residents will know it.

Mr. Mike Brody, 509 Brookbend Court, stated he submitted a resume for the Park & Recreation Board position; and he asked that the process be explained. Mr. Lewis stated they interviewed a number of people this evening before they went into Executive Session, although none of them were for Park & Rec. He stated there are a number of re-appointments and appointments they need to make, and tonight they may make some appointments and re-appointments. Mr. Lewis stated they will then schedule interviews with others going forward. Mr. Brody asked if there is a timeline as to when they expect to fill the positions. Mr. Lewis stated what they may do this evening will clear out a large number of them. He stated there are multiple applicants for the position Mr. Brody has applied for, and they need to schedule those interviews, and then review them.

Ms. Maryanne Carroll, 13 E. School Lane, stated she has come before the Board of Supervisors a number of times over the last five years to express concern about the traffic problems in the vicinity of Makefield Elementary School and E. School Lane. She stated a number of years ago there was a Traffic Study to indicate that over 500 cars travel on E. School Lane on a daily basis where there are only nine houses. She stated four years ago the Board of Supervisors decided to ignore the traffic engineer’s recommendation for specific improvements to be made on her street, and nothing has changed. Ms. Carroll stated she is extremely disappointed about the lack of urgency in addressing long-term traffic-calming measures in the Makefield Elementary School vicinity. She stated she is well aware that the Board commissioned a Traffic Study, and that Traffic Study could have easily been turned around by November and reviewed by the Board of Supervisors publically by now; and they are almost in March.

Ms. Carroll stated in August she advised the Board of Supervisors that in the vicinity of Makefield Elementary, E. School Lane, and W. School Lane there are ten possible configurations at any one time, and she showed a rendering of this. She stated yesterday she thanked a Patrolman who was engaging in speed enforcement, and he shared that during that day at multiple times he was pulling over speeders in excess of 40 miles per hour in the 15 mile per hour zone. She stated there is a lack

of attention in dealing with specific traffic-calming measures that will change the dynamic in her neighborhood, and it has to be done. She stated this has to become a priority. She stated while Dog Parks and Community Centers are nice, if she and her family are not safe in their neighborhood, “what is the point of living in a nice community.”

Ms. Carroll stated she has a number of specific recommendations that the Board can immediately take in the next thirty days. She stated the first one is that they can increase the length of the School Zone in front of Makefield Elementary and Pennwood Middle School. She stated currently the length of the School Zones are two thirds less than they are legally allowed to be. She stated this would involve a simple Permit change. Ms. Carroll stated the second request is to extend the time of the School Zone limit in front of Makefield Elementary. She stated at Pennwood Elementary it is two hours long. She stated to extend the School Zone limit in front of Makefield Elementary, which is within the Board’s purview, it is simply a matter of filing a Permit with PennDOT and having the Police Chief sign off on it. She stated this way when her son is crossing into the School Zone at 7:30 a.m. to ride his bike to William Penn Middle School the flashing lights will at least be on. Ms. Carroll stated they also need to lower the speed limit on Makefield Road now to 25 miles per hour. She stated it is within the Board’s right, and they have enough documentation, and it is time to do it. She stated the lack of attention to this issue is “pathetic.” She stated they need to take decisive action, and these are three simple things the Board can do without a lot of investment; and it is a matter of paperwork and “semantics.” She stated they should look at serious structural issues and visual changes in the long-term for this corridor with a five-year Plan. She stated they could look at rectangular, reflecting beacons similar to what is in front of the George School and in front of the Doylestown Court House. She stated they need to address short-term solutions immediately, and then look at the longer-term structural solutions that they need to change on Makefield Road. She stated she hopes that she does not have to come back to talk about this again.

Mr. Lewis stated the Board received the Study the first week of January; and within a few hours they had requested from TPD, the Traffic engineer, to cost out each of their recommendations so they could make an assessment of those. He stated within that same week, they also assigned it to the Citizens Traffic Commission. Mr. Grenier stated the Citizens Traffic Commission met and talked about these issues and having an Addendum to the Study. He stated they have discussed it since then and ultimately TPD will come in front of the Board of Supervisors relatively soon to discuss that so that they can move forward with some recommendations.

Ms. Jean Buzgo, 1806 Makefield Road, stated this has been a concern of hers as well. She stated she is a few blocks from Makefield Elementary and she has seen children getting hit by automobiles walking and on their bikes. She stated she is present this

evening to speak about the Harrison property. She stated she will provide a copy of her letter regarding this issue to the Board of Supervisors. She stated she is requesting that the Board of Supervisors consider a change in the Ordinances to prevent transient rental properties. She stated there could be a required minimum rental period of no less than one month, implementation of a rental registration program for each rental of the home, a fee for each rental, an inspection of the property between rentals, background checks and sex offender checks of all renters and guests given the close proximity to Makefield Elementary School, no grandfathering of existing transient rental properties, a fine for the owner if there is any kind of disturbing the peace violations regarding his guests or property, and a fine for the owner if he does not comply with any of these stipulations.

Ms. Buzgo stated they need to set a precedent to preserve our safe, prestigious, and historical town. She stated this is not a shore town, and it is not a party town. She stated if homes like these continue to be able to be rented out to transients, it could happen in any neighborhood within Lower Makefield Township. She stated without these regulations and Ordinances, transient renters could be in your neighborhood next.

Ms. Renee Trimble, 5 Central Drive, stated she is present with regard to 1711 Makefield, and she agrees with her neighbors on all of the issues. She stated that Tinicum Township just dealt with this issue recently, and possibly the Township should reach out to them for their advice as to what they did and how they went about it passing these laws. She stated she would like to know at what point it “became a hotel” that is running on the corner of Makefield Road and Central Drive. She stated they do not know who will be there, and it is concerning for all of them.

Ms. Laura Donovan, 1705 Wrightfield, stated in addition to whatever the Board does with writing laws, she urged the Board to instruct all Lower Makefield Township agencies to enforce our laws as “prescribed.” She stated all laws are either “proscriptive, descriptive, or prescriptive.” She stated laws which are proscriptive state what you cannot do, laws which are descriptive state how things are generally, and laws which are prescriptive state that in order to be in compliance with the law, you must do these things; and anyone who fails to do the prescribed things is breaking the law.

Ms. Donovan stated she believes that our Accessory Uses and Accessory Structures law is prescriptive and should be enforced that way, and that these are the things that any business must do in order to be in compliance. She stated they sat for two Zoning Hearing Board meetings listening to William Harrison and his lawyer confessing on the Record to all the ways in which he was not complying with these laws and convinced our Zoning Board that they should be applying it descriptively; and because it does not describe him, he does not have to obey the law.

Ms. Donovan urged the Board to enforce our laws as prescriptive; and in that way everyone will know by looking and checking off the list whether they have complied or not; and if they have not complied, they are an illegal entity and are not following the law. She stated all of our enforcement agencies should know they are to enforce the laws prescriptively otherwise the laws are meaningless.

Mr. Bill Harrison stated he owns the house on Makefield Road. He stated as opposed to going through all the accusations they have heard tonight, last night, or a month ago, he asked that when they have these Hearings it should be under Oath; and it makes no sense for people to get up and “make wild accusations” which are completely untrue. He stated the idea that he has it rented it for half of the summer almost every single weekend, people playing basketball, and drinking in the streets are totally exaggerations and untrue. Mr. Harrison stated some of his neighbors have his phone number. He stated he listened to a lady stand up and tell them twice that she has been to Bed and Breakfasts “in eighteen Countries of the World,” as if that has anything to do with this. Mr. Harrison stated she also interrupted his lawyer last night.

Mr. Harrison stated he owns the house, and he bought it legally, he follows the law, and he is allowed to rent his house. He stated the Township allows it, and he followed the rules. He stated he is there to drive by at curfew, and he vets every person that comes in there. He stated there was a family from England for an American Halloween and spent a week and did not cause any problems, and there is nothing wrong with that. He stated he abides by the Township’s rules. He stated if they want to change the law in some way, he would be happy to sit down with the Township and talk about both sides. He stated what he is doing is totally legal. He stated the idea that people can get up and make up completely fabricated stories is completely unfair.

Mr. Harrison stated his neighbor complained about lowering the values of the neighborhood; but this had been a “haunted house,” and he spent a lot of money to rehab the house. He stated everyone was happy when the house was first done. He stated he came to the Zoning Board to build a pool; and because of the downhill nature of the property, he built in triple the amount of drainage ditches to catch the water to improve the property with the pool process. He stated these same “friendly neighbors” did not knock on his door to talk about it, but they came to the Zoning Hearing Board Hearing to try to sabotage the pool. He stated the Township engineer advised them that he had improved the property and he built two to three times as many ditches as he was supposed to and was helping the neighbors out. He stated they got up one after another to say they did not want him to build a pool. Mr. Harrison stated the Township engineer made it clear that this was improving the flooding because he “built way more ditches” to catch the water than was

required by the Township, and they were appreciative that he “overdid it” on behalf of the neighbors. He stated his neighbors have dogs that flip over his trash and have extra abandoned cars parked in their driveways. He stated he feels these people should talk under oath so the Board can make a fair decision.

Mr. Lewis advised Mr. Harrison that when people appear at the Zoning Hearing Board they are under Oath. He stated as it relates to Mr. Harrison’s concerns over potential Ordinances that the Board may or may not consider in the future, there will be a “robust” public notification process as would be with any Ordinance; and Mr. Harrison is welcome, as is any other member of the community, to provide comments.

Ms. Lee Narwicz, 1711 Wrightfield Road, stated she attended the Zoning Hearing Board meeting last evening. She asked Mr. Harrison how he vets his renters, and she asked if he does background checks. Mr. Harrison stated in order to rent his house on Airbnb there is a process you have to go through providing information including your Driver’s License. He stated if you try to rent his home and have not rented a place a dozen times or had a recommendation by ten previous owners, he does not accept it. He stated it is not a “cheap” place to rent; and this is his house, and it is a significant investment, and he does not want to ruin his house. He stated he has not had a “broken glass” inside his house. Ms. Narwicz stated there are “many people with lots of money who could rent his house,” but they might not be legal or have had a background check. Mr. Harrison stated there are people in our neighborhood that have all kinds of problems, and there has been no extra crime in the neighborhood.

Ms. Narwicz stated an Airbnb is not meant to be rented out every weekend or every other weekend, and not on a permanent basis. She stated it is meant to be a house that people live in, and it is their main residence; and when they leave for two or three months, they rent it out. Mr. Harrison stated that is totally untrue. Mr. Lewis stated the business process of Airbnb is not germane to the circumstance here. He stated the Board will consider how they want to address the negative externalities of short-term rentals.

Mr. Harrison stated if someone is making noise at the house, and they do not like it, they are welcome to call him. A number of people in the audience indicated they do not know how to contact him.

Ms. Amy Sheaffer, 3 Central Drive, stated she supports all the things that her neighbors stated, and she supports the Board’s efforts to hopefully create some kind of Zoning regulation that will cover the short-term rentals. She stated she bought her house within the last year and a half; and if she thought there were multiple family, short-term rentals next door, she would not have bought in this

neighborhood. She stated she purposely set out to buy a home in an area that was Zoned Single-Family Residential, and she asked that the Board think about trying to make a regulation that maintains that kind of neighborhood to help them maintain the nice neighborhood they have and also the value of their homes.

Mr. Edward Murphy, 301 N. Sycamore Street, Newtown, stated he is present to speak on behalf of the Lower Makefield Business Association to make the Board and the public aware that from now through March 6, there is a Petition being circulated to seek to have the question of whether or not Liquor Licenses should be permitted in Lower Makefield placed on the spring ballot on May 15. He stated there are multiple opportunities through the local businesses to sign such a Petition, and there is a lot of activity on social media. He stated this has been an issue that has been discussed previously over the years. He stated Lower Makefield is one of the few remaining Municipalities that is a dry Municipality. He stated signing the Petition does not indicate support for the question, just the opportunity to put the question on the ballot, and give the Lower Makefield residents a chance to vote on it on May 15.

Mr. Lewis stated he signed the Petition at McCaffrey's. He stated those who wish to sign the Petition should know that it is very important that you sign it in a correct manner, and you cannot abbreviate LMT and you have to write out Lower Makefield Township. He stated you have to be a Lower Makefield Township resident and you cannot live in Yardley Borough or Newtown. Mr. Murphy stated it is a challenging situation as they have a three and a half week period in the dead of winter when signatures have to be obtained.

Mr. Lewis stated it is not just about restaurants, and it could also allow people to purchase beer or wine at a grocery store. He stated there are a limited number of Licenses, and Mr. Murphy stated it is controlled by Zoning as well. Mr. Murphy also noted that Liquor Licenses are costly.

APPROVAL OF MINUTES

Ms. Blundi moved, Mr. Grenier seconded and it was unanimously carried to approve the Minutes of February 7, 2018 as written.

APPROVAL OF FEBRUARY 5, 2018 AND FEBRUARY 20, 2018 WARRANT LISTS
AND JANUARY, 2018 PAYROLL

Mr. Weiss moved, Ms. Blundi seconded and it was unanimously carried to approve the February 5, 2018 and February 20, 2018 Warrant Lists and January, 2018 Payroll as attached to the Minutes.

PARK & RECREATION ITEMS

Discussion of Park & Recreation New Logo

Ms. Monica Tierney was present to show the Park & Recreation logo which is the option that the Park & Recreation Board recommended as well as another option. She stated they want to improve the look and feel of Park & Rec with their promotion and create some consistency, and they want to give a favorable impression of what the Township has to offer. Mr. Grenier stated he is the Liaison to the Park & Recreation Board, and was part of the discussion; and he is in favor of the recommended logo.

Mr. Grenier moved, Mr. Weiss seconded and it was unanimously carried to approve the new Park & Rec logo as shown by Director Tierney.

Discussion of Community Center Grand Opening

Ms. Tierney stated March 10 will be the Grand Opening of the Community Center, and it will be a mini Community Pride Day with food trucks, local Township Boards, demonstrations of some of the classes they have to offer, and youth activities. She stated the Youth Committee will have programs for younger children with cupcake decorating and face painting. She stated the ribbon cutting will be at Noon and possibly there will be some speeches. Ms. Tierney stated she has provided the Board with a tentative timeline, and some items will be added. Ms. Tierney stated she will meet with the Special Events Committee next Tuesday at 7:00 if anyone has input to provide.

Community Center Programming

Ms. Tierney stated she has put together a Classes and Programming Guide which includes some items people can register for now on-line. She stated programming includes a Toddler Mommy and Me Soccer program, Learn to Play Canasta, Zumba

Gold, Gentle Yoga, Creative Writing, Meditation; and they are also still adding as there are a lot of instructors who have come to her with ideas. She stated they will have a cut off if there are not sufficient registrations about five days prior to an event. She stated this is a test phase to see what the community really wants.

Ms. Tierney stated in order to register for classes, you need to sign up for Community Pass if you have not done so already as a Pool member. She stated the Township has had this program for a long time but was underutilizing it. She stated they can use it for all of the Park & Rec programs including the Dog Park. She showed a slide and described how you can sign up for Community Pass. She stated there are a lot of great features including the ability to pay on line. She stated there is an interactive calendar which includes all Park & Recreation facilities. She stated the calendar for the Community Center is April is starting to fill up. She stated reservations for fields and pavilions can also be made on this site.

Ms. Tierney stated they have been phasing in use of the Community Center. She stated the Seniors are currently there, and they are now functioning well. She stated she is still working on acquiring some of the furniture as some items are on back order. She stated a number of people have gotten the Safe Serve Certification for the kitchen. Ms. Tierney stated as they move into April there will be classes starting; and as she sees holes, they will try to fit in some additional things. She stated PAA had a meeting there recently with one hundred people in attendance.

Update on Dog Park

Ms. Tierney stated fifty families and fifty-four dogs have now Registered. She stated in January the Fees collected were \$1,260. She stated approximately two hundred and seventy people have completed the Dog Park training, and this training is required to utilize the Dog Park.

Ms. Tierney stated with regard to opening of the Dog Park, they are very dependent on weather and some additional items that need to be installed including the gate system. She stated the fields are also still muddy. She stated originally she felt they could have a March soft opening and an April Grand Opening; however, she feels it will be a April soft opening and May Grand Opening. Ms. Tierney stated when you register for Community Pass you provide all needed data, and they can then send out blast e-mails as soon as they know the Dog Park is going to open.

Ms. Tierney stated when she first sent out the Fee structure, she felt they were going to have to pay \$20 per key fob; however, they found a new system which makes use of small cards similar to those used at the grocery store. She stated they can use

these for the Dog Park and the Pool; and you have to be Registered for whichever one is being assessed. She stated when you use the card at the Pool, your photo will pop up on a screen when you scan in so you will not have to have a photo identification card anymore. Ms. Tierney stated the card was so inexpensive that they decided to absorb the cost into the Fee; however, they will charge a \$5 Fee if the card needs to be replaced.

Ms. Tierney stated they are looking at having an on-leash event with dog vendors, and people will be able to walk through to see if they like the Dog Park. She stated she is working on this with the Special Events Committee.

Park and Recreation Resources

Ms. Tierney stated she is putting out a monthly Park and Rec report that is posted on line; and this will keep the Township up to date about what is going on in Park & Rec, the revenues they are generating, League Reports will be included, and she has put in Five Mile Woods and Youth Committee reports. She stated this is accessible on the Park & Rec Webpage, and she started this in December.

Ms. Tierney stated there is also a four-page Program Guide to give information on what there is being offered at the Community Center with an explanation of classes, the fees, etc.

Other Park & Recreation Issues

Ms. Tierney stated they will be proposing a bench program in the near future, and they have had a lot of residents ask to donate benches. Ms. Tierney stated she would like to create consistency in the benches they are selecting, and they will discuss this further in the near future.

Ms. Tierney stated the Five Mile Woods hunting program is complete. She stated they used six of the ten deer they took to provide 700 meals.

Ms. Tierney stated the Pool is involved in the voting for the Best Happening List for Bucks County, and she asked that everyone vote. She stated currently we have 98% of the vote.

Ms. Tierney stated March 2 will be the last day for the Discount Period at the Pool. So far the generated income for the Pool is \$30,195 as of the end of January, and there has been a significant upturn in Registrations.

Ms. Tierney stated this is the first year for the Youth Committee, and they are doing very well. She stated they are working on their By-Laws. She stated they were all Seniors in High School; and since they wanted to create longevity for the Youth Committee, they are now bringing on new Board members. She stated they are doing interviews, and they have an on-line Application process.

Ms. Tierney stated YMS will be resurfacing the turf, and PAA plans to put new wraps on their dug outs.

Mr. Grenier stated he feels Ms. Tierney is doing an excellent job. He stated he signed up for the Community Pass, and he is excited to have the classes and programs available.

Mr. Grenier stated the new wraps that PAA will be putting up on the dugouts and back stops will involve selling advertising, and he was not sure if the Board of Supervisors had an opinion on that. Mr. Lewis stated he does not have an issue with the advertising provided it is not alcohol, tobacco, or any prohibited items. Mr. Truelove stated they would have the same regulations they have for the fence banners which have been in place for a number of years.

Mr. Lewis stated there is one room in the Community Center that is predominantly used by the Seniors, and he asked if the Board members would be willing to have that room named after former Supervisor Frank Fazzalore who labored many years in service to the Township.

Mr. Weiss moved, Mr. Grenier seconded and it was unanimously carried to name the Senior Room at the Community Center in honor of Frank Fazzalore.

DISCUSSION OF PA SMALL SEWER AND WATER GRANT APPLICATION AND APPROVAL OF RESOLUTION NO. 2361

Mr. Greg Hucklebridge was present and stated this Grant Application is for the Stackhouse pump station relocation. He stated the pump station is located on Stackhouse Drive, and it has reached the end of its useful life, and replacement parts are no longer available. He stated the pump station needs to be replaced to continue providing sanitary sewer service to the residents. He stated the existing facilities are located in a resident's backyard which interferes with access to check the station for maintenance or repairs. He stated the Stackhouse station currently services thirty-six Residential units. He stated wastewater is conveyed from the ejector station to an existing gravity sewer, and then it is conveyed through the existing sanitary sewer system to the Morrisville Treatment Plant.

Mr. Hucklebridge stated they are proposing to construct a new pump station further down Stackhouse toward Mahlon Drive about 400' to the north. He stated the Township sewer engineer, Fred Ebert, is working on finalizing the specifications for the replacement of the pump station; and upon completion of the final design and specifications, the project will be placed for a public Bid offering. He stated a qualified contractor will be selected and the project will be awarded. The project was identified in the Capital Budget for 2018 which the Board of Supervisors approved. The estimated cost as prepared by the Sewer engineer is \$480,613. He stated the work is scheduled to commence by the end of 2018.

Mr. Hucklebridge stated there is almost \$25 million available through the Commonwealth Financing Authority for activities to assist with construction, improvement, expansion, rehabilitation or repair of the water supply or sanitary sewer systems. He stated eligible projects have to have a total cost of not less than \$30,000 and not more than \$500,000; and this project falls within that. He stated the Township must match at least 15% of the total cost which would be approximately \$72,000. Mr. Hucklebridge stated the submission deadline is February 28, 2018. Mr. Hucklebridge stated in the Board's packet he included a map of the area. He asked that the Board approve the Resolution this evening, and there are two letters that would also need to be signed.

Mr. Grenier moved and Mr. Weiss seconded to approve Resolution No. 2361 – PA Small Sewer and Water Grant Application.

Mr. Harold Kupersmit stated he is concerned about the direction the Board is going in. He stated while the Board was concerned about what was happening in a house in Lower Makefield Township, they are not at all concerned about a potential pandemic of superbugs at the wastewater plant. He stated the Board is concerned about noise but not about the health and safety of all the residents. He stated he does not want to risk a pandemic where 60 million Americans perish because the Board is more worried about noise than about superbugs.

Mr. Lewis asked Mr. Hucklebridge if any of the proposed work would increase the likelihood of superbugs that would potentially lead to the death of 60 million Americans, and Mr. Hucklebridge stated he believes it would help prevent such an outbreak.

Motion carried unanimously.

PRESENTATION OF INFORMAL SKETCH PLAN FOR CADDIS ACQUISITION PARTNERS, LLC SENIOR LIVING FACILITY

Mr. Edward Murphy, attorney, was present with a Sketch Plan which has been the subject of a prior review by the Planning Commission on January 22. Mr. Murphy stated the property is two contiguous parcels that have frontage on Dobry Road that consists of a little over 8.6 acres. He stated there is an existing home on one of the parcels. He stated the proposal is to re-develop the parcels together for an Assisted Living facility that would consist of both Assisted Living units and Memory Care units.

Mr. Murphy stated Mr. Eric Rider, Senior Vice President for Caddis, is present; and Mr. Murphy stated Caddis Acquisition Partners is the equitable owner of the two parcels. He stated Justin Ginotti is also present, and he is the Project engineer.

Mr. Murphy stated the original Plan that was presented to the Planning Commission last month had been preceded by an informal staff meeting that he had participated in with the Township's traffic consultant and Mr. Majewski to highlight issues of concern to the staff which were ultimately aired more fully when they met with the Planning Commission. Mr. Murphy stated there were a number of items on the original Sketch Plan that would have triggered the need for Zoning relief.

Mr. Murphy stated at the Planning Commission meeting there were also a number of abutting property owners from Regency and elsewhere who commented publicly about the Application. Mr. Murphy stated since that meeting, the Applicant has made a number of revisions to the Plan; and they believe at this point that no Variances would be required. He stated there was also a significant revision to the building to reduce its height, eliminate any encroachments into drive aisles, and making sure that the parcel that one of the existing property owners lives on would meet the minimum size in the District. He stated they have reduced the height of the building from three stories to two stories. He stated they should recognize that this is just a Sketch Plan, but they feel they have no Zoning issues.

Mr. Murphy stated at the Planning Commission there were questions raised about the adequacy of the buffers around the perimeter of the site especially to the south where it abuts Regency parcels. He stated the original Sketch contemplated a drive aisle that was located within that setback, and that has all been pushed out of the setback. He stated the Ordinance requires a 25' buffer, and the area they have now available for that is almost 40'.

Mr. Murphy stated one issue they discussed with the staff involved the needed reconstruction of Dobry Road as that road has not been improved in quite some time. He stated there is also a project across the street that is going through the

development process which would also impact Dobry Road. Mr. Murphy stated they understand that a significant amount of reconstruction will be required on Dobry Road. He stated they have also discussed with Township staff the appropriate location to obtain public sewer; and they are following the recommendations of the Sewer Director to connect to a portion of the system that goes to Morrisville, so they do not have to deal with the Sewer Moratorium or the Connection Management Plan issues.

Mr. Murphy stated the issue of traffic was a subject of interest, and the Plan in front of the Board contemplates the principal point of ingress and egress at the intersection of Dobry and Oxford Valley Roads. He stated the current Plan also shows a right-in/right-out access point on Oxford Valley Road. Mr. Murphy stated in their discussions with the Township's traffic consultant, the Applicants understand that at the present time the Warrants in order to qualify for a traffic signal at Dobry and Oxford Valley Roads are not met; and the Township traffic consultant does not believe they will be met even with the introduction of this project, which is not a high traffic generator, and the project on the opposite side of Dobry Road if that proceeds forward. Mr. Murphy stated it is believed that the addition of the right-in/right-out movement as depicted on the Plan would help manage and distribute the traffic better at the intersection which, for the foreseeable future, will not be signalized. It will also provide an alternate means for first responders and emergency vehicles.

Ms. Grace Godshalk stated she previously appeared at the Board of Supervisors meeting to ask if anyone had any comments as to what was discussed at the Planning Commission about this project, but no one could inform her of anything that happened. Ms. Godshalk stated she is representing the 35,000 residents of the Township about an illegal crossing of our property to make a main entrance into this development. She stated this property was condemned more than thirty years ago to improve Oxford Valley Road. She stated it was the Rice property, and most of the property was taken for the widening of Oxford Valley Road. She stated a small piece was left, and at her suggestion the Board of Supervisors at that time voted to remain the owners of that piece of property even though the Tax Map says, "Road Improvements." Ms. Godshalk stated it did not give the right to "some firm from Texas and an engineer who has never done business in this Township" to come in and cross our right-of-way with a thirty foot road and have right and left turns out. She stated this is a highway which should not have any entrances, and that is why the Board voted to keep it that way so that no major development behind there would have access to Oxford Valley Road. Ms. Godshalk stated Oxford Valley Road on the other side is basically Residential, and on another side are the Regency homes. She stated if there is a right turn in and a right turn out of this, you would be going into the accel lane for the Regency development. Ms. Godshalk stated the

only solution to this is to improve Dobry Road. She stated two people have already been killed on the corner of Dobry Road over the years. She stated Dobry Road is three quarters of a mile that is undeveloped, and there is another large development coming in on the other side. She stated Dobry Road must be improved with a traffic light, and there should be no entrance allowed onto Oxford Valley Road ever again. She stated they should do road widening on Dobry and focus more on the north side. She stated there is a historic house that the owners want to keep on a two acre parcel, and the improvements could “bend” to the other side. Ms. Godshalk stated no roadway should be coming in off of Oxford Valley Road.

Mr. Lewis invited Mr. Murphy to respond to Ms. Godshalk’s comments. Mr. Murphy stated in May, 1994 Lower Makefield Township condemned an oddly-configured strip of property; and he showed a presentation board of this property. He stated at its narrowest part it is three feet wide, and at its deepest it is approximately twenty feet wide. Mr. Murphy stated it was condemned in connection with the construction and improvement of the highway system – and that is the stated purpose of the condemnation. Mr. Murphy showed this on the Plan. He stated it was condemned separately by the Township, and it may have been in concert with the condemnation of other parcels as well. He stated he has provided to Ms. Kirk and Mr. Truelove copies of the Condemnation Action for their review and comments. Mr. Murphy stated it has remained unchanged for the last twenty-four years. He stated there are no trees on it; and in their view it is part of the right-of-way of Oxford Valley Road. He stated they do not feel it is any different from any other portion of the right-of-way along Oxford Valley Road to which any property owner would have access.

Mr. Murphy stated they were aware of this, and they discussed it with the Township’s consultant about the appropriateness of the access point. Mr. Murphy stated because Oxford Valley and Dobry is not going to be signalized, it was recommended that this right-in/right-out only movement would help disperse traffic at the unsignalized intersection. Mr. Murphy stated the area of the strip that would be occupied by this right-in/right-out is about three hundred and twenty square feet – forty feet wide by eight feet deep, so it is a very small portion of the right-of-way that Ms. Godshalk has made reference to.

Mr. Murphy stated Mr. Rider can talk about Caddis; and Mr. Murphy added that Ms. Godshalk has made reference to the fact that they are headquartered in Dallas, which is true. Mr. Murphy stated Caddis is a National healthcare provider and has healthcare facilities all over the Country. Mr. Murphy stated Mr. Ginotti, the engineer, is also present; and Mr. Murphy stated Mr. Ginotti has worked locally, and worked previously for one of the Township’s engineers so he is very familiar with Lower Makefield and has worked here before.

Mr. Eric Rider, stated Caddis is headquartered in Dallas, Texas; and they are a healthcare real estate development company. He stated they are looking here to expand their Senior living platform. He stated they have thirteen other communities across the Country, and they are looking to expand in the Northeast, specifically Pennsylvania. He stated the products they build are Class A products, and he showed examples of some of their other products that have a Residential-style aesthetic. He stated this is a transitional use from a Residential setting to a Commercial District. He stated they are excited about the project and being part of this community.

Mr. Lewis advised the public that this is a Sketch Plan, and no votes are taken to approve or reject the Plan; and it is an opportunity for people to provide comments and suggestions. Mr. Lewis stated he understands that they have gone from a three-story building to a two-story building, and Mr. Rider agreed. Mr. Rider stated from what he understands of the height restrictions, they could build a three-story building here; but based on some of the feedback they got from the community at the Planning Commission when the Sketch Plan was reviewed, they understood that was a big concern, and they felt they should address that concern and reduce it from a three-story building to a two-story building.

Mr. Lewis stated the Supervisors received an e-mail from a resident, Al Scalone, 247 Hoover Way in Regency at Yardley which is south of this property; and his concern was with the visual of a three-story building, and it appears they have addressed some element of that. Mr. Lewis stated Mr. Scalone was also concerned about the roadway that runs behind the building, noise, and disturbance. Mr. Lewis asked if they could move the building somewhat to the north which would mitigate some of the noise for those who live at Regency at Yardley.

Mr. Ginotti stated the building is fitting within the setback lines; and any shift to the north would push it outside the setbacks, and that would require a Variance for setback off of Dobry Road. He stated at the last meeting, they had shown a drive aisle which was encroaching into the 37 ½' parking lot setback; and they pulled that drive aisle in out of the encroachment, and now the residents to the south have a 37 ½' buffer which per the Ordinance will be a planted with a Type I buffer which requires berming and various vegetation.

Mr. Lewis asked if they considered placing the stormwater management basin that is currently off of Dobry Road in the back of the building, and Mr. Ginotti stated he did not. Mr. Ginotti stated the drainage from this site flows from the residents' properties in Regency north, and there is a natural ridge line the follows the tree line along the back; and all water is directed toward Dobry Road in the existing condition, so this is the logical place for a stormwater basin.

Mr. Lewis stated with regard to the additional access point, he relies on the Township's traffic engineer; and he would want to see more detail on the Township traffic engineer's analysis. Mr. Lewis stated his initial concern is with drivers who may attempt to make a left hand turn off of Oxford Valley trying to "short cut" their way in. He stated he is also concerned with Dobry Road about adding additional access points which may increase congestion in ways they have not thought of. He stated he will want to look into this further. He stated that section currently is relatively-smooth moving, but there are a lot of interruptions before it and a lot after it. He stated as they go through the process they should look into this further.

Mr. Lewis asked if they have an elevation rendering of the building, and Mr. Ginotti showed this to the Board and public. Mr. Rider stated this is a rendering of one of their most recent properties, and what would be in Lower Makefield would be similar in style and aesthetic. Mr. Lewis asked if it would have the same façade structure, and Mr. Rider stated they have not finalized that yet. He stated what is shown is a Tudor style, and they are looking at some other design aesthetics. He stated they would have a mix of materials and articulation. Mr. Murphy stated if the Board had some specific suggestions about the exterior elevations and materials they could entertain that. Mr. Lewis stated there are a lot of different Residential types within that area, and he would want to see something that fits visually so it does not seem visually out of place. He stated if they had an architectural reason for doing something that was "aggressive – visually and different" he would entertain that as well. Mr. Murphy stated he is hearing that they want the building not to look Institutional, but to look more Residential in scale and character; and they would work with the Township to develop what makes the most sense.

Mr. Grenier asked if they have done any visuals to show what it might look like from the south through the buffer for those living in Regency, and Mr. Ginotti stated they have not. Mr. Grenier asked them to describe the type of buffer including elevations. Mr. Ginotti stated because this is a non-Residential/ Residential separation buffer, per the Ordinance, they are required to install a Type I buffer which is required to be 25' wide; however, they are providing 37 ½' due to the additional setback that is required from the parking lot setback. He stated there will be 37 ½' of green space between the curb line and the rear property line plus whatever yard Regency residents' have on their properties as well between the two properties. Mr. Ginotti stated there are a wide range of evergreen and shade trees, ornamental flowering trees, shrubs, ground cover, and plants that are required according to the Ordinance. He stated the Ordinance spells out the quantities required per linear feet of buffer.

Mr. Grenier stated the berming will lift the trees up, and Mr. Ginotti agreed. He stated it is per regulations, and the berm is to be 2' to 5' in height and is to meander in a naturalistic fashion without adversely effecting drainage. He stated there is a natural berm along the back part of the property. Mr. Grenier stated he assumes there will be evergreens, and Mr. Ginotti stated the Ordinance requires one evergreen for every 20 linear feet of buffer line. Mr. Ginotti stated it also has other trees in between. He stated they can work with the Township on this on a compromise as well. Mr. Grenier stated he would encourage that if they want to move forward.

Mr. Grenier stated at the last Planning Commission meeting they did ask Mr. Majewski to look into the history of the condemnation off of Oxford Valley, and he asked if there is an opinion on that. Mr. Fedorchak stated both Ms. Godshalk and Mr. Murphy have fairly represented the history. Mr. Fedorchak stated this was one of the first projects that he worked on as the new Township Manager in 1994. He stated Oxford Valley Road is a State road, and the widening was a project that the Township very much wanted done; and PennDOT indicated that they could move the project to the top of the list if the Township would secure all the necessary rights-of-way, and that is what the Township did.

Mr. Grenier asked if there is an opinion from the Township solicitor as to the ability for the Applicant to have an access easement of some type through Township-owned property. Mr. Truelove stated that is something that can be arranged between the Parties. He stated there was a prior Sketch Plan, unrelated to this one, for the same area; and one of the discussions was how to accomplish that so it is not something that is unheard of.

Mr. Grenier stated they received comments from residents one of which was about the potential for noise on the back side, and potentially putting two means of ingress and egress off of Dobry and off of Oxford Valley; and he asked what it would mean to the Plan if those changes had to be made and if they could be made at all. Mr. Rider asked Mr. Grenier if he is talking about eliminating the drive around on the south side of the building. Mr. Grenier asked if they were to eliminate the entrance off of Oxford Valley Road, what impact that would have on the Plan from both the traffic control as well as safety issues; and he also asked with regard to the access road around the back that is closest to the landowners to the south, if there are any "tweaks" that can be made there, and if not what type of noise levels would the residents expect if that were to go through.

Mr. Rider stated with regard to the entrance on Oxford Valley Road, this facility in general does not generate a lot of traffic per day; however, there are some residents in their Assisted Living facilities who do drive, although they may not be the best drivers. He stated having a right-in-/right-out provides a lot of safety from that perspective. He stated with regard to the drive to the south that is close to Regency,

he would have a concern if they were to eliminate it completely from a fire safety perspective. He stated as Mr. Ginotti noted earlier what has changed from the last Plan to this Plan is that they moved it more to the north to try to address some of the concerns. He stated they also had some parking that was facing the residents to the south, and they removed that. He stated they do not have a lot of traffic that will be seen in the back particularly since there is no parking there on a daily basis. He stated they will have one or two deliveries a week for food, etc. and the loading areas are intended for those deliveries.

Mr. Grenier asked about their hours of operation. Mr. Rider stated this is a 24/7 facility because people live there. He stated they have minimal staffing there overnight. He stated they do not receive deliveries or have normal business during the overnight, and their doors are locked. He stated during the day there will be some visitors although there are not usually a lot other than peak days such as Mother's Day.

Mr. Murphy stated deliveries would be during the day; and in prior Applications, they have agreed with the Township that deliveries cannot occur before a certain hour in the morning and this would be the same for trash pick up. Mr. Grenier asked where the dumpsters would be located. He also asked about lighting at night, and the location of the HVAC equipment. Mr. Ginotti showed on the Plan where the trash dumpsters will be located at the lower left corner which is the most practical spot for the building and the most functional for a trash truck to access the dumpster. He stated it is actually further away than the facility would like it to be since they would like to have it right behind the back door, but they will put it in the corner to make it the most functional for the site. He stated trash pick up will be during normal business hours no different than the residents to the south have their trash picked up. He stated HVAC units will probably be on the roof, but they will discuss this further once architectural are done. With regard to lighting, Mr. Ginotti stated they will all be shielded lights, low intensity to meet the Ordinance; and they will all be directed towards the building and not directed towards the residents to the south.

Mr. Murphy stated he knows from his prior participation in Artis and some other facilities, the Ordinance permits a higher light standard than anyone would probably recommend given the Residential character of this facility. He stated he believes the Ordinance permits up to 22' in height, and they have been doing them at around 14' which is lower and has more of a Residential character with appropriate shielding so that the light focuses down and does not spill onto adjacent properties.

Mr. Lewis asked about staff members working at the facility. Mr. Rider stated they will have approximately fifty full-time employees spread over three different shifts. He stated the overnight shift would be the fewest, and most of the employees would be during the two day shifts. Mr. Lewis asked about the shift structure. Mr. Rider stated there are three, eight-hour shifts with the first shift starting at 8:00 a.m. Mr. Lewis asked the number of residents at the facility, and Mr. Rider stated they will build for a capacity of ninety-seven.

Mr. Lewis asked if they will be in full compliance with the Tree Ordinance, and Mr. Murphy agreed.

Ms. Godshalk stated after her thirty years as a Supervisor, she would suggest that this entrance not be approved as originally suggested by the Board of Supervisors many years ago. She stated they kept it open so as not to have another entrance onto Oxford Valley Road which is already a “speedway.” She stated they have to look at Dobry and the quarter mile of undeveloped land. She stated Dobry Road has to be improved and has to be made safe. She stated Seniors are going to be living up there, and they cannot turn on Dobry without a light. She stated the most important part of the discussion is the road improvements. She stated there should be no crossing property that the Township has saved for almost thirty years from development.

Mr. Weiss stated with regard to the entrance on Oxford Valley Road, a concerned resident of Regency indicated it interferes with the right-turn lane for the Regency development. Mr. Ginotti stated the intersection space meets Ordinance requirements between two intersections on a road. He stated Regency has a right-in/right-out the same as this developer is proposing. Mr. Ginotti stated they are also proposing with their improvements a full width decel lane similar to what Regency has. He stated there will actually be more time to decel before entering the Regency property. He stated they will be completely compliant with PennDOT regulations, and it meets the Ordinance for intersection spacing.

Mr. Murphy stated he feels it would be good to talk to TPD about this as this was an issue that was raised at the Planning Commission, and Mr. Ginotti answered it the same way as he did this evening. Mr. Murphy stated Mr. Phil Wursta has an opinion about improvements associated with providing that right-in/right-out movement to address that question as well.

Mr. Weiss stated he understands the generator pad will be in the southwest corner as well, and he asked if they will make that as quiet as possible for the neighbors; and Mr. Murphy agreed both in terms of screening and noise.

Mr. Rubin asked Mr. Murphy if this Lot is the same Lot where the auto repair place was going to be, and Mr. Murphy stated he believes it was the property on the north side of Dobry Road where that was proposed. Mr. Rubin stated he felt that was where the Dunkin' Donuts was going to be. Mr. Ginotti stated he felt that there was a proposal for the wooded parcel. Mr. Rubin asked who owns that property, and Mr. Rider stated that is part of one of the parcels that they are looking to purchase as part of this transaction. Mr. Rubin asked where on the Plan is the Auto Detailing business, and Mr. Ginotti showed on the Plan where he believes it is located. Mr. Rubin asked if that would remain private property, and Mr. Rider agreed.

Mr. Rubin stated where the proposed auto repair place was discussed, the owner of the Auto Detailing business Testified in front of the Board of Supervisors that the green area between Caddis' proposed property and Oxford Valley Road was wetlands; and he asked if there is any further information about that. Mr. Ginotti stated there was already a wetlands delineation performed; and while it is wetlands, they will be not be near that or the required 75' buffer. Mr. Rubin asked if they are purchasing that property; and Mr. Ginotti stated the whole property is not wetlands, and only a small portion of it is along the frontage of Dobry Road which they are not encroaching on. Mr. Rubin stated they propose owning it, but not developing it; and Mr. Ginotti agreed. Mr. Ginotti stated the trees as shown on the Plan will remain, and there are wetlands inside of those trees which are to remain intact.

Mr. Rubin stated when "Scanlon" came in front of the Board of Supervisors and talked about his proposed age-restricted development on the other side of Dobry Road a number of people Testified that signaling at that intersection is essential because someone who is exiting Dobry Road and wants to make a left toward the Railroad tracks has to cross a four-lane highway. He stated trying to make a left to turn out of the proposed development to go to McCaffrey's is almost impossible. He stated he agrees with Ms. Godshalk that they do not need another ingress/ egress as that would become "another Street Road."

Mr. Lee Pedowicz, 247 Truman Way Regency at Yardley, stated Mr. Majewski had sent out a letter dated February 13 asking that comments be mailed to him to be brought to the attention of the Board of Supervisors. Mr. Pedowicz stated he and a number of residents from Regency at Yardley met and put together a list although he is not sure whether this was provided to the Board. Mr. Pedowicz stated he is a professional engineer, and the aerial sketch that the developer is showing is dated February 21, 2018 which is today; but he received it a few days ago. He stated what bothers him about the aerial sketch is that it is showing a sketch of the Site Plan; but in this instance it is important to know what is bordering the site, and it is not showing that on this print. He showed on the print where the area is developed as Residential development, but it is not shown on the print and should have been included on the Sketch Plan.

Mr. Pedowicz stated several people he spoke to are in the Real Estate business and they know how to develop property; and one of the issues they brought up was the consistency and aesthetics of the community. He stated Regency at Yardley is single-family homes, and there is talk of a project on the north side of Dobry, and talk of another Residential community going up there, although he does not know where that stands. He stated they are now “taking this home and putting it there.” He stated the picture that was shown was not a picture of the facility that they were planning to build, although he does feel it looks pretty good; but that needs to be considered.

Mr. Pedowicz stated it was discussed that maybe the building could be moved further east on the property; but that would involve the current property owner of the historic house, and he understands he is keeping an acre. Mr. Pedowicz stated he would also like to know how hazardous waste is going to be handled as well as water percolation into the ground. Mr. Pedowicz stated there was discussion this evening about putting up a berm. He stated the water flow is running from south to north, and when it goes past his property it goes down toward Dobry Road. He stated if they put a berm there, he knows where all the water is going to collect. He stated there are storm drains in the Regency property there, and he asked what it will take to overload them. He asked if there is a way to get through the berm, and he would like to be shown this; and if there is a way to get through the berm, he would like to know who is going to maintain that and keep it clear so you get the run off. He stated they also discussed a stormwater basin, and by Regency they have stormwater basins at a few spots on the property. He stated there is a stormwater basin on Oxford Valley Road; and he understands that there is an overflow for that which runs under Oxford Valley Road and discharges into the storm drain on the east side of Oxford Valley Road. Mr. Pedowicz stated if they have a storm basin where they are showing on their Plan, he would like to know where the overflow for that will go. He stated the Railroad tracks are down there.

Mr. Pedowicz stated he and his neighbors realize that this is a preliminary design/ preliminary sketch; and they do not want to get mired down in the details such as the garbage being disposed of at the southwest corner, but the items he is bringing up he feels have to be considered before they go ahead with this.

Mr. Pedowicz stated with regard to the vehicular traffic, their proposal shows a right-turn in/right-turn out; and he stated if someone goes out on Oxford Valley Road that wanted to make a left on Oxford Valley, they will make a U-turn in the Regency at Yardley and then wait to make a left turn back onto Oxford Valley Road. He stated they also need to consider the Railroad traffic at the crossing on Oxford Valley Road, and he believes there are four tracks with SEPTA, and the freight trains which can be 150 cars long. He stated he has waited there for half an hour waiting

for the crossing to be clear. He stated if someone is waiting to get out onto Oxford Valley Road to make a left and there is a freight train going by, they will make a right turn and then a U-turn back in his neighborhood as well.

Mr. Pedowicz stated he knows they are looking at how the new development will impact existing Lower Makefield sewer facilities. He stated he was advised by someone who lives in Newtown where they built a development that when they put in the water supply the Water Company stated “everything was fine,” but there was a very noticeable drop in the water pressure. He stated the home being proposed may not be such a load on the water supply, but there is also a development across the Road which should be considered. He stated people also do not think about the electric supply, and he knows Philadelphia Electric will be anxious to provide electricity to all these customers; however, Mr. Pedowicz stated if Philadelphia Electric runs into problems, he questions how this additional load will effect their emergency procedures such as a black-out situation. He asked if Philadelphia Electric will have to go to a sub station and put in another transformer.

Mr. Pedowicz stated currently there is a walking and biking path on Oxford Valley Road that runs past the Railroad tracks to McCaffrey’s, and he asked if that will be interrupted by the development that is being proposed tonight.

Mr. Pedowicz asked if this project is approved, and there is a sixty home development across the street, are they going to pay for sewage facilities to be put in to cover everybody and water facilities. Mr. Pedowicz also asked if there is adequate water for the fire hydrants.

Mr. Pedowicz asked if Lower Makefield could buy this property and preserve it as open space – not only this property, but the property on the north side of Dobry Road as well. He stated he had suggested that they make it a ball field, but he understands there are ball fields going in elsewhere; and he feels they should just make it a walking park with paths for people to relax. He stated he understands Lower Makefield may not have the money for this, and he asked if Bucks County could be approached to do something like that.

Mr. Lewis stated there is an Electrical Reliability Committee in the Township, and many in the Township have spent a lot of time on the issue of uptime with power. Mr. Pedowicz stated he was getting involved with the EAC, and he had contacted Philadelphia Electric to get someone to speak to the community about energy conservation and renewables, and he would be interested in the Electrical Reliability Committee. Mr. Lewis stated he could apply to that Committee by sending in his resume to Mr. Fedorchak.

Mr. Mitchell Goldberg, 249 Carson Way, stated he questions why they need a facility like this and asked if there are not enough residences for Seniors here that they could not have it some other place. He stated he did some research on Caddis, and it seemed like they got into a lot of issues with other Residential areas throughout the Country where they are located. He asked how much research the Board of Supervisors has done as it relates to attorneys Caddis has and other lawsuits they have going on. Mr. Goldberg stated Caddis is not in the healthcare business, and that is a “little bit of a fairy tale.” He stated they are in the Real Estate business; and once they build this facility, they are going “to flip it.” He stated he does not know who is going to manage it after they flip it. Mr. Goldberg stated he lives here 24/7. He stated he feels there will be unintended consequences. He stated he is going to be seeing trash collection from his back yard, and he feels they should have thought about possibly putting it on the northern side as opposed to the southern side. He stated when he thinks of Yardley he thinks of the “rustic and rural nature of our Township,” and he asked if we really need this kind of facility which will destroy that.

Mr. Richard Mccune, 249 Truman Way, Regency, stated he worked with the Army Corps of Engineers and he is also a retired research development engineer operations managing officer of the Department of Defense. He stated he has lived off and on in this community for more than fifty-two years. He stated he lived in Newtown and watched the St. Mary Rehab project go in behind his house like something is going to go in behind his house right now, and it did change his water pressure and the storm drain run off. He stated he moved here because the storm drain run off got so bad in the Newtown/Langhorne area. He stated he has not seen the plans for the perc factor testing which must be done. He showed on the Plan where the wetlands are located, and the he noted under the basin it is moist. He stated it is fixable; and while he is not against development, he is against raising the height of the ground adding every one inch makes water roll. He stated there is a retention area in there and there is a buffer that was brought up which is all true. He stated there is the possibility of all the water basins being overloaded. He stated if the perc factor is low, and they raise the height by bringing truckloads of dirt in, it changes the entire storm drain runoff and overloads the basins; and then water will break the buffer and come onto his property.

Mr. Grenier asked the Applicant if they have done any perc testing/geotechnical analysis to determine what they would have to do for stormwater management. Mr. Ginotti stated perc testing is scheduled for the next week or so, and it has been delayed by the weather. He stated they are only at the Sketch Plan phase so no true design has been done. Mr. Grenier asked Mr. Ginotti to show where the wetlands delineations is on the Plan, and Mr. Ginotti showed this on the Plan. He stated there is a 50’ or 75’ buffer from the wetlands per the Ordinance, and they are well beyond that; and there will be no disturbance of the wetlands or the buffers. Mr. Grenier

asked if there were any linear features such as streams found in there, and Mr. Ginotti stated there were no linear features just the topography for wetlands. He stated there is no floodway. Mr. Grenier asked the topographic change between where the proposed impervious area is versus where the wetlands are. Mr. Ginotti stated it is existing farmland right now, and they had a full survey done by a wetlands specialist; and what he has shown is the only area they found delineated wetlands. He stated it was delineated and surveyed by a wetlands specialist. Mr. Ginotti stated with regard to the difference in grade, he does not have the number in front of him from the survey; however, the site does flow from south to north towards Dobry Road, but he does not know the drop in elevation. He stated it is enough that water will not go backwards towards Regency.

Mr. Murphy stated they are continuing to listen, and he feels they have come a far way in terms of addressing what they heard three weeks ago; and they will consider what they heard tonight. He encouraged the Board to talk to their own consultants about the issue with regard to the right-in/right-out access. He stated they will continue to refine the Plan and encourage conversation with the staff before they take any other steps.

Mr. Michael Quinn stated he lives across the street from this development. He stated currently the water runs off onto his property. He stated he does not know how much they are going to control this. He asked if they will install storm drains on Dobry Road to take it. He showed the location of a culvert on Dobry Road and the stream that runs out to the River. He stated he does not want to change anything because it has been there forever, but he wants to make sure it does not become too much. Mr. Quinn stated the residents would be interested in hooking up to sewer and water. He stated he thinks they are going to need a traffic light. He stated he does not see any major problems with the Plan.

Mr. Truelove stated the Board met in Executive Session beginning at 7:00 p.m. and items of litigation, Real Estate, collective bargaining, and general informational items were discussed.

APPROVE EXTENSION OF DOGWOOD DRIVE

Ms. Blundi moved, Mr. Grenier seconded and it was unanimously carried to grant the Extension request of Dogwood Drive to June 1, 2018.

APPROVAL OF CERTIFICATE OF APPROPRIATENESS - FLOWERS FIELD NEW BUILDING MODEL

Mr. Fedorchak stated this was vetted by HARB. He stated Flowers Field has introduced a new residential design which was discussed by HARB and they unanimously approved the design.

Ms. Blundi moved, Mr. Weiss seconded and it was unanimously carried to approve the Certificate of Appropriateness for Flowers Field new building model.

APPROVAL OF CERTIFICATE OF APPROPRIATENESS - 705 STONY HILL ROAD JULIE SILL YOGA - REVISED SIGN LOCATION

Mr. Fedorchak stated this was also vetted by HARB. He stated it is for a sign at the Bob Sill Insurance Agency building at the main intersection of Edgewood Village. He stated Ms. Sill is introducing a yoga establishment, and this is the sign.

Mr. Weiss moved, Mr. Grenier seconded and it was unanimously carried to approve the Certificate of Appropriateness for 705 Stony Hill Road Julie Sill Yoga revised sign location.

SUPERVISORS REPORTS

Mr. Lewis stated earlier this evening they discussed the Zoning Hearing Board Decision last night, and this is an issue that the Township is continuing to look at.

Mr. Weiss stated the Senior Board met and it looks good for the Community Center opening, and the Seniors are happy with their move so far. He stated they have changed their fiscal year, and he discussed this with Ms. Tierney; and there were some billing issues which were taken care of.

Mr. Grenier stated the Environmental Advisory Council met and went over the 2018 EAC goals, looked at potentially updating some Ordinances, and discussed their lecture series. He stated the Planning Commission was primarily a discussion of potential changes to Ordinances that he anticipates will be coming before the Board of Supervisors fairly soon.

Ms. Blundi stated the CTC met, and they are looking at the Makefield Road Traffic Study. She stated they are very accessible to the public, and they do their best to work on solving some of the issues in the Township.

OTHER BUSINESS

Ms. Lisa Lynch, 28 Sutphin Pines, stated she is on the Association for Sutphin Pines; and they are interested in the property that is potentially going to be developed behind them. She stated they have retained counsel for purposes of representing them with regard to that. She stated she appreciates the fact that she was advised that this was coming to the Township, and she encouraged the Township to keep their community advised if anything moves forward. Mr. Lewis stated Mr. Weiss has met with the developer. Mr. Lewis stated he has kept in contact as well with Ms. Lynch as a representative of the HOA. Mr. Weiss stated Mr. Murphy who is representing the developer is hoping to get in touch with Ms. Lynch and the HOA to discuss some issues. Ms. Lynch stated the HOA will be meeting on Monday, and Mr. Weiss stated he will provide Ms. Lynch with Mr. Murphy's contact information.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Mr. Grenier moved, Mr. Weiss seconded and it was unanimously carried to approve the following reappointments:

Ann Schreiber – Electronic Media Advisory Committee
Josh Waldorf – Electronic Media Advisory Committee
Paul Roden – Environmental Advisory Council
Keith DosSantos – Zoning Hearing Board
Adam Reiss – Golf Committee
Frederick Young – Electronic Media Advisory Committee
Megan Dorko – Disabled Persons Advisory Board
Krista McConaghy – Historical Commission
Jennifer Stark – HARB
Kathleen Webber - HARB

Ms. Blundi moved, Mr. Weiss seconded and it was unanimously carried to appoint the following:

Colin Marsh – Golf Committee
Fred Childs – Financial Advisory Board
Tejinder Gill – Economic Development
Cynthia Weiss – Financial Advisory Board
Maryann Lewis – Financial Advisory Board

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There being no further business, Mr. Grenier moved, Mr. Weiss seconded and it was unanimously carried to adjourn the meeting at 10:05 p.m.

Respectfully Submitted,

John B. Lewis, Chairman