

Upper Makefield *Township*

Planning Commission Board Wednesday, March 23, 2016 Meeting Minutes

The March 23, 2016 public meeting of the Upper Makefield Township Planning Commission was called to order by Vice Chair Kathleen Pisauro at 7:01 p.m. In attendance were the following members of the Planning Commission: Member Walt Wydro, Member Ken Rubin, Member Richard Latella, Member Phil Feig, and Member Bud Baldwin. Also in attendance were Township Solicitor Mary Eberle, Board of Supervisor Liaison Mary Ryan, and Director of Planning and Zoning Dave Kuhns.

Public Comment

Deandra Murphy of Creamery Rd. was present questioning what could be done about the structure of solar panels that were installed on their neighbor's property. Mr. Kuhns stated that it does comply with the Ordinance but that they have not yet complied with the screening of the structure. Ms. Eberle explained to Ms. Murphy that this is not a matter for the Planning Commission which has no jurisdiction over zoning. Ms. Eberle suggested that the Murphys' appeal to the Zoning Hearing Board on this matter.

Approval of Minutes: February 24, 2016 – Amendment to the minutes that Mr. Feig was in attendance at the February 24, 2016 Planning Commission Meeting. Mr. Baldwin made a motion to approve the minutes once amended, it was seconded by Mr. Feig.

All were in favor.

Current and New Business:

Special Events Ordinance, Continued from the February 24, 2016 PC Meeting

Ms. Eberle started the discussion saying there has been one event which began over 10 years ago that requires closing a road. Legacy events are the only events that can close a road. There are four events in the last few years that closed River Road causing some residents to be stuck in their homes for several hours until the event is over. Ms. Ryan said that there were 24 events that did not close a road.

Ms. Ryan explained races that require a special event means an event held outdoors, with more than 50 attendees. Much discussion followed on the purpose of the Ordinance. Mr. Rubin said that the original purpose was to not have people trapped in their houses because of these events that close roads. The ordinance should be limited to this specific issue. Ms. Eberle asked the Members if they want to pass an ordinance strictly to regulate road closures. She said there are two levels: close road completely or have a lane closure. Ms. Eberle asked so the goal is to have no road closed more than once a year. Mr. Rubin said there seems to be a consensus that only the Revolutionary Run can close River Road. Straw vote followed with further clarification. All seemed to agree. Ms. Eberle said that she will draft what is really the "Rev Run" ordinance. Jim Pascale, Township Manager, suggested that it deal with the specific issue that State Route 32 should not be closed more than once a year. Mr. Baldwin asked if we need an ordinance since we have been doing this for many years. Ms. Ryan added that we still need an ordinance to say "no" to others. Mr. Rubin said that it really applies to all roads and that you can't limit it because it effects other roads. Ms. Eberle said that she I will come back with a one road closure draft at the next meeting.

**Sign Review, Washington Crossing Animal Hospital, 1240 Washington Memorial Blvd.
Commercial Building**

John Lock, a representative of the owner of the Washington Crossing Animal Hospital was present for a sign review. The sign application was for an existing sign that will be changed due to damage after the last snow storm. Ms. Pisauro asked if the new sign met the Ordinance requirements. Ms. Ryan said that it is stated in the sign guide that there is to be no more than two or three colors. It was suggested to limit the colors at the choice of the applicant to either blue or black. Mr. Rubin made a motion for the applicant to change one color of the sign to either black or blue. The motion was seconded by Mr. Wydro.

All were in favor.

Zoning Matters

Garages vs. Storage Sheds JMZO Amendment, Dave Kuhns

Mr. Kuhns has wanted to address for some time the JMZO language on garages and sheds. The JMZO says that sheds can be 12 feet from the property line and garages have to be inside the building envelope generally 50 feet from the side and 60 feet to the rear. The problem is that it doesn't define the difference between a garage and a shed. Mr. Kuhns explained that people come in and want to have a 20' X 40' shed constructed which is large enough for a few cars and because they are not installing garage doors, it is not a garage but a shed. Mr. Kuhns said that there is an amendment needed with the jointure to define a threshold dimension possibly 14' X 10'. Mr. Kuhns asked Ms. Eberle if she would write a draft and she suggested that Mr. Kuhn's contact all three members of the Jointure to make sure that there is enough support for this at the manager level.

Washington Crossing Sign Inventory, Mary Ryan

Ms. Ryan provided the Planning Commission Members with pictures of all the signs in the Crossing prior to the meeting. Ms. Ryan said that there is slow but steady progress as seen by the pictures. The number of colors has dwindled to three which is a big improvement, colors are very traditional. The pictures provide an inventory for reference. Mr. Kuhn's thanked Ms. Ryan for all of her work on this sign inventory. Mr. Rubin asked why there are so many monument signs which are free standing signs. Ms. Ryan wanted to discuss the Supreme Court Case Reed vs the Town of Gilbert which treats temporary signs differently and the Supreme Court decided that this was not right. We should look at amendments to our Ordinance to insure compliance with the law.

Liaison Report Presented by Mary Ryan

Ms. Ryan reported that yesterday the Board closed on the conservation easement from with Natural Lands Trust. A few zoning matters are upcoming but not too much to report at this time. After Ms. Ryan's liaison report Mr. Kuhns mentioned that Dunkin Donuts informed him today that they have decided to go with the black and gold colors of the New Hope sign instead of the proposed colors originally submitted. Mr. Rubin addressed the solar panel issue from the beginning of the meeting with much discussion and asked the Planning Commission to consider amending the present Ordinance.

Adjournment

A motion was made to adjourn the meeting and was seconded by Ms. Pisauro

The Meeting was adjourned at 9:11 P.M.

Submitted by: Debra McFadden

Approved: April 27, 2016