

**Planning Commission Board**  
**Wednesday, February 27, 2019 Meeting Minutes**

The February 27, 2019 public meeting of the Upper Makefield Township Planning Commission Board was called to order by Chair Karin Traina at 7:00 p.m. In attendance were the following members of the Planning Commission: Chair Karin Traina, Member Bud Baldwin, Member Phil Feig, Member Ken Rubin, Member Jack Wiseman and Member Walt Wydro. Also, in attendance were Township Solicitor Mary Eberle, Township Engineer Larry Young, Board of Supervisors Liaison Dr. Ed Ford and Zoning Director Dave Kuhns.

**Public Comment:** No public comment presented.

**Confirmation of a Quorum, Chair Karin Traina:** Karin Traina confirmed quorum.

**Approval of Minutes:**

- A. January 23, 2019:** A motion was made by Mr. Feig to approve the January 23, 2018 minutes with a correction to the second motion on the approval of minutes. The motion was seconded by Mr. Baldwin. The motion carried with a 4-0 vote. Ms. Traina and Mr. Wiseman abstained.

**Zoning:**

**A. Wolfinger Conditional Use Application – 1410 Wrightstown Road:**

Mr. John VanLuvanee with Eastburn and Gray, PC and Stephen Quigley with Dumack Engineering represented Mr. and Mrs. Wolfinger. Mr. VanLuvanee gave a brief history of the property under the ownership of Mr. and Mrs. Wolfinger since their purchase in 2015. This property project has been in discussion with the Township for approximately two years. The project plans to build a family community with their immediate family occupying the homes in a subdivision of the property. Mr. VanLuvanee walked through the history of reviews with the Township via the Zoning Hearing Board (ZHB), Environmental Advisory Council (EAC), Township Ordinance changes and Board of Supervisors (BOS).

There are two applications submitted. The driveway crossing has been approved by EAC, BOS. ZHB heard and granted the request for variances.

Mr. Young noted the plan had been updated per comments from Engineering and from the EAC.

Planning Commission reviewed the Township Engineering Letter dated February 22, 2019. Planning Commission discussion included the following topics:

- Township Solicitor framed the decisions that the Planning Commission was being asked to make tonight. Ms. Eberle explained the riparian buffer zones 1 and 2 and the driveway that is being requested is in the Township Ordinance as a Conditional Use. All Conditional Use cases must be heard by the Planning Commission for a recommendation before the case goes to the Board of Supervisors. Ms. Traina clarified that Section D. of the Township Engineer letter dated February 22, 2019 was the scope to be discussed by the Planning Commission this evening.
- Mr. Baldwin opened discussion regarding the sizing of the culvert, and concern that it is sufficient to handle high water rise without impact to any neighboring properties. Both Mr. Quigley and Mr. Young spoke to the water rise and noted

that the design ensures no impact or rise to neighboring properties. Mr. Young noted that there is a request per the Township Engineering for plan updates to further clarify.

- Ms. Traina opened discussion to clarify that there was a review done to ensure there was no other placement option for the driveway on the property, that this design is the optimum placement. Mr. Young noted that the EAC visited the property to determine if there were any other placements and looked at this spot because it was the narrowest point. Mr. Baldwin did attend that visit and further noted that there were a number of Ash trees that will be coming down as part of the plan, but did consider the trees along the bank as one of the criteria for least impact.
- Mr. Kuhns confirmed that the survey completed by All County for the Ruth M. Moore Subdivision in 1979 did not place any restrictions on the property that impacted this project or the decision.

A motion was made by Ms. Traina to grant the condition subject to the conditions documented in the Township Engineer's letter dated February 22, 2019. The motion was seconded by Mr. Baldwin. The motion carried with a unanimous vote.

**B. Wolfinger Final Subdivision Plan – 1410 Wrightstown Road:**

Mr. Kuhns announced that at the request of the applicant, the review of the subdivision plan is delayed to a later date.

**C. Fallows Planning Module, 359 Pineville Road:**

Mr. Kuhns presented the Fallows Planning Module. Discussion with the Planning Commission included the following:

- Ms. Pisauro asked via email, why the conversion of a barn into an apartment is not considered a separate residents. Mr. Kuhns clarified that this is considered a separate accessory apartment and as such the property is considered a community system by DEP.
- Conditions of who may reside in the apartment is limited via the Township Ordinance. The Planning Commission discussed the enforcement of the Township Ordinance for residency with a declaration of conveyance requirement in their recommendation to the Board of Supervisors.
- Mr. Kuhns confirmed that the health department had approved the planning module.

A motion was made by Mr. Baldwin to approve the application with a condition to execute and record a Declaration of Covenants at the Bucks County Courthouse specifically stating that the use of the Accessory Apartment will be limited to domestic servants, caretakers employed on the premises, occasional gratuitous guests, or for permanent residence of family members related by blood, marriage or adoption, to be consistent with Section K of the Township Ordinance. The motion was seconded by Mr. Rubin. The motion carried with a unanimous vote.

**D. New Business – Discussion of the Land Development review process:**

Ms. Traina opened a discussion on the process of review and how the review process flows through the different committees to include the Zoning Hearing Board (ZHB), Environmental Advisory Council (EAC), Planning Commission (PC) and Board of Supervisors (BOS). Mr. Young clarified that it really depends on how the applicant pursues the project with the Township. Ms. Eberle explained that the MPC has requirements for timing and response and this limits the number of reviews that can be done. Further, any changes to the review process would require a change to the JMZO which may be difficult to get agreement on. Mr. Kuhns offered that Planning and Zoning could put together a summary of reviews for each application to inform the Planning Commission of the reviews completed and scheduled. Ms. Traina offered that there may be an off line discussion to clarify and map out the review process with Planning Commission members.

**Zoning:**

**A. G2 – 1116 Taylorsville Road – Computer Sales – Sign Review – Continued from the 1/23/19 PC Meeting Discussion:**

Mr. Kuhns presented the updated plan for the sign at G2. The following topics were discussed:

- The glossy materials of the sign do not meet the Washington Crossing Overlay guidelines. Guidelines state that signs should use traditional materials such as brick, stone or wood. The Planning Commission would like the sign in wood or wood looking material.
- Number of colors was a prior conflict due to the number of colors and was discussed among the members with the updated design.
- Placement of signs with businesses sharing property was discussed. There are two businesses at this property. G2 will have a sign by the road and the other business has a sign on the façade. Mr. Kuhns noted is within ordinance.

A motion was made by Ms. Traina to approve the application with a condition that the materials are changed to wood or wood grain texture to comply with the Washington Crossing Overlay requirements. The motion was seconded by Mr. Baldwin. The motion carried with a unanimous vote.

**B. Regional Comprehensive Plan – Walt Wydro:**

Mr. Wydro presented the changes to the Regional Comprehensive Plan. This effort took over two and a half years to update. There are many updates to the documents. Mr. Wydro will cover the changes section by section as a series with Planning Commission. These reviews will be done by the County simultaneously. Presentations are also occurring to the public for review.

Mr. Wydro noted the history of how well Upper Makefield Township has done with Comprehensive Planning with the Preserved Space and the establishment of the EAC.

Revisions were determined by a County Survey done with all residents in Upper Makefield in 1997.

Mr. Wydro noted that there was a park planned on the White Property near the national cemetery. The park is fully funded, we just need a plan.

**Liaison Report:**

Dr. Ford reported the following:

- Most of the Board of Supervisors meeting time has been devoted to the Melsky remand meetings.

**Public Comment:** No public comment presented.

**Adjournment:**

A motion was made by Mr. Baldwin to adjourn the meeting and was seconded by Ms. Traina. Motion carried by a unanimous vote. The meeting adjourned at 8:20 p.m.

Approved: March 27, 2019