

Planning Commission
Wednesday, August 25, 2021 Meeting Minutes

The August 26, 2021 public meeting of the Upper Makefield Township Planning Commission was called to order by Chair Kathleen Pisauro at 7:02 p.m. In attendance were the following members of the Planning Commission: Chair Kathleen Pisauro, Vice Chair Phil Feig, Member Bud Baldwin, Member Jack Wiseman, and Member Ken Rubin. Brownsburg Estates Representatives Ed Murphy, Rich Zaveta and Chirag Thakkar were in attendance. Also in attendance were Township Engineer Larry Young, Township Solicitor William Oetinger, and Assistant Zoning Officer Denise Burmester.

Moment of Silence for Dave Kuhns

Public Comment: No public comment.

Confirmation of a Quorum: Chair Kathleen Pisauro confirmed a quorum.

Approval of Minutes:

A. July 28, 2021:

Ms. Pisauro made a motion to approve the minutes of July 28, 2021. Mr. Baldwin seconded the motion. The motion carried by a unanimous vote.

Discussion Items:

I. Land Development

A. Brownsburg Estates, Phase XI:

Mr. Murphy opened the discussion with Mr. Zaveta, introducing the Brownsburg Estates as a subdivision that part Master Plan agreement formed in 1994. Phase XI is a five-lot subdivision that was approved as a preliminary plan as a part of that master plan agreement. A number of years ago the subdivision was approved as a traditionally engineered and designed subdivision. Mr. Zaveta purchased the property earlier this year. In February of 2021, Mr. Murphy and Mr. Zaveta spoke to the Planning Commission about redesigning their project to minimize tree disturbance, preserve multiple stands of large mature sycamore trees, and provide an innovative stormwater management system. They noted that they were prepared to discuss their re-engineered plan, and to review the Township Engineering letter from August 19, 2021.

Mr. Zaveta presented the changes to the subdivision design submitted by the prior owner. The changes include the removal of significant basins and replacement with subsurface storage with significant ground water recharge carrying down both sides of the street. Anything that is not fully captured by the ground water recharge will go to the pond and serve as additional irrigation for the golf course. A

denitrification septic system has also been introduced which does not require sand mounds and there is less disturbance to the existing trees. The lot configuration will stay identical to the previously approved plan with some repositioning of the homes. Road design improvements will deliver less impervious surface than the prior design, but yet provide adequate parking for the residents. Mr. Zaveta noted that the design meets the intent for the community.

Mr. Zaveta discussed the selection of Hampton Moore, as a subdivision name that matches the historical nature of the area. The first purchaser of the site was Joseph Hampton in 1760 and the site has the characteristics of an English definition of a Moore with its uncut, untilled meadows. The name of Hampton Moore was verified with Emergency Services to have no conflicts.

Mr. Young responded with his review letter, noting the collaboration between the Township and the applicant. Mr. Young noted that a waiver is still required for the street lighting and the curb that will not be used. Additional detail is required to ensure that stormwater will not drain out to Brownsburg Road. Mr. Murphy noted that they will comply with this request for detail. The applicant agrees to comply with all other items in the letter.

Members had the following questions and comments:

- The Planning Commission wants additional details before this project goes to the Board of Supervisors.
- A question was asked about stormwater and basins. Since all the basins are gone, it was asked what it now the common elements of this lot left, other than the road. The road will be privately owned and maintained. Adjacent of the road will be the capture of ground water recharge.
- HOA maintenance requirements were discussed. Mr. Zaveta responded that they are leaving this project with low to no maintenance for the homeowners. The stormwater management systems will be straightforward and exposed not requiring any ongoing maintenance. Septic systems will have an automated maintenance notification to the septic company with the homeowner not needing to monitor or maintain as long as the homeowner maintains a service contractor with the septic company. The sole responsibility of the HOA will be the maintenance of the road. Mr. Young noted that the Township can request that the applicant submit a maintenance schedule for the HOA. Mr. Zaveta also committed to do a through turnover to the HOA. Mr. Murphy committed to do a maintenance schedule for the HOA. Mr. Young stated that his office would be responsible for the periodic review of the Maintenance Schedule elements to ensure the schedule is adhered to.
- Electrical Easements were discussed. Lots 91 and 92 will contain easements for the electrical line that service the pond for the golf course. The homeowner will be notified of the easement via the title report at settlement. Mr. Zaveta explained the golf course will have easement access and will have responsibility for repair and maintenance of the

electrical line and easement. The easement is not in the building envelope. The property owner will not have any maintenance responsibility.

- There were questions about several DPs moving the water. DP1 and DP2 show the movement of water across Brownsburg Road to a stormwater easement. Mr. Thakkar explained DP1 does go to a stormwater easement across Brownsburg Road that is part of the Brownsburg Estates drainage system, but not owned by Mr. Zaveta. DP3 is a long run on Lot 93 with riprap prior to entering the pond on the golf course property. Mr. Murphy confirmed that there are agreements between the golf course property owner and Mr. Zaveta for use of the pond for water runoff. Scouring was a concern raised by the golf course owner. To minimize this scouring, riprap was added to the pond edge, with a separate recorded easement for this riprap. Concerns were raised regarding DP4 that ends between lots 91 to 93 due to the differential between 19,030 feet and 15,000 feet with possible high flow and the back up of the pipes along the road that will fill with cinders and salt. Requested HOA document should maintain the pipes on the road to keep the pipes open. Mr. Thakkar explained that the use of riprap would reduce velocity. Additionally, the site will work as a whole for the stormwater management system with an easement to allow distribution of the flow with other discharge elements to include discharge to pond. Drainage grates will also be increased from the 24-inch circular currently planned. Mr. Young noted that the applicant is still required to provide efficiency and by-pass calculations on the grade efficiency to determine grate size for PennDOT.
- Questions to confirm the NPDES permit was transferred appropriately to the new owner. Mr. Thakkar confirmed the NPDES permit modification has been submitted.
- Questions regarding soil perc rates were questioned and it was pointed out lot 91 did not have perc rates documented, which may be due to the type of septic systems planned. Mr. Zaveta explained that the septic systems were in a permit review process with the Bucks County Department of Health and each site had received an approved perc test. PC members recommended that the septic placement and perc rates should be updated on the plan for lot 91 prior to the Board of Supervisors review. The well placement was also reviewed.
- Questions regarding a tree inventory was discussed to ensure that the proposed tree plan meets Township Ordinance. Mr. Zaveta noted that there will be significantly less trees being taken down than were approved on the traditional subdivision plan submitted by prior owners, he also agreed to use native species for replanting. Mr. Young confirmed that the applicant is taking out significantly less trees and replacing many trees with the new plan.

Ms. Pisauro made a motion for revised final approval subject to the following:

- Receipt of request for waiver for the street lighting.

- Receipt of request for waiver for elimination of curbing.
- Compliance with the August 19th review letter from the Township Engineer.
- Maintenance schedule to be included in the HOA documentation to be reviewed and approved by the Township Solicitor.
- Approved amended NPDES permit.

Mr. Rubin seconded the motion. The motion passed with a unanimous vote.

Liaison Report:

No report.

Adjournment:

A motion was made by Mr. Baldwin to adjourn the meeting and was seconded by Mr. Rubin. Motion carried by a unanimous vote. The meeting adjourned at 7:53 p.m.

Approved: October 27, 2021