

Upper Makefield Township Planning Commission
January 25, 2012 Meeting Minutes

The January 25, 2012 public meeting of the Upper Makefield Township Planning Commission was called to order by Chair Walt Wydro at 7:30 p.m. In attendance were the following members of the Planning Commission: Chair Walt Wydro, Vice Chair Karin Traina, Member Bob Curtin, Member Hank Lieberman, Member Kathleen Pisauro and Member Ken Rubin. Member Greg Pitonak was absent. Also in attendance were Supervisor Liaison Mary Ryan, Solicitor Mary Eberle, Director of Planning and Zoning Dave Kuhns and Township Engineer Larry Young.

PUBLIC COMMENT SESSION:

There were no members of the public present to comment.

APPROVAL OF MEETING MINUTES:

Mrs. Pisauro made a motion to approve the minutes of December 6, 2011. Mr. Lieberman seconded the motion. All were in favor and the motion passed.

LIAISON REPORT:

Ms. Ryan reported that the Board of Supervisors had its Reorganization meeting on January 3, 2012. Dan Rattigan was voted Chair, Bud Baldwin, Vice Chair and Mary Eberle is the new Solicitor for the Board. At a future meeting, the Board will see a minor addition to the Washington Crossing Inn which proposes adding a cloak room and small addition to the Covered Bridge Room. The Zoning Hearing Board approved the addition.

She reported the Upper Makefield Township website and E Letter have been awarded first place by the Pennsylvania State Association of Township Supervisors (PSATs).

Ms. Ryan stated that she is the liaison again for the Planning Commission and also for the Environmental Advisory Council. The EAC is requesting the Planning Commission consider updating the Township's Noxious Weeds Ordinance. They are concerned that there are a lot of invasive plants which residents continue to plant such as bamboo and PA Loosestrife which should be added to the list in the ordinance. Ms. Eberle stated that the current ordinance from 1999 is very standard and follows the DEP list of noxious weeds. As the Township is precluded from listing plants as invasive if the DEP has not included them, Ms. Eberle is going to check on the County's latest ordinance to see if bamboo and other plants of concern have been added to the County ordinance.

DEVELOPMENT ISSUES:

Washington Crossing Insurance Group Land Development Sketch Plan, 1120 Taylorsville Road:

Howard Nenner, owner of the property was present for the meeting. Mr. Young began to go through his review letter. He stated that the first item in the review letter states that the lot is undersized and, therefore, may require a special exception to alter the building. There was a comment from Mr. Rubin that he believed the entire site area should be considered, which is 1.07 acres. Mr. Young said he would check on that. Mr. Nenner was asked to review his application before going through the letter. Mr. Nenner explained that there is an existing ranch house with three bedrooms and two baths. He intends to convert it to an office to be used as an insurance agency. He does not propose a lot of alterations to the structure and is not increasing the footprint except for one possible addition. There would be four employees. This structure is directly to the left of Gabriel's II Pizzeria (if you are facing Gabriel's). Mr. Wydro raised the issue of parking to which Mr. Nenner responded that there are very few visitors that come to his current location.

Returning to the review letter, the first item states that a zoning information table shall be added to the plan. Mr. Nenner will comply with this. The second item states that the ordinance requires a minimum lot area of 1 acre. Mr. Young, citing Section 249 A of the JMZO stated that it describes the

lot area as “the area contained within the property lines of a lot, excluding space within an existing or ultimate street right of way...” therefore, in response to the previous question regarding the size of the lot, Mr. Young stated that the lot area is by definition, .86 acres. Therefore, a special exception may be required to alter the building. Mr. Nenner expressed frustration at learning this as he did not know the total acreage would not be considered and stated that he wanted to avoid having to apply for special exceptions through the Zoning Hearing Board. He continued that it was his understanding coming into the meeting that he was in compliance. Mr. Young explained that the nonconformity will be increased with the proposed addition by increasing the existing front yard setback nonconformity. Mrs. Pisaurio asked Mr. Nenner why he thought he was in compliance and Mr. Nenner explained that was his impression following discussions with the Planning & Zoning Department and his representative, All County, Inc. All County, Inc. has since closed its business. He also said that if he had to go to the Zoning Hearing Board, then he would not propose the addition. The addition was proposed mostly for aesthetic purposes anyway. Although portions of the letter were reviewed following the previous exchange, such as parking, site capacity calculations, deliveries and tree removal, Mr. Nenner was urged to retain a new consultant to advise him. Members of the Planning Commission, Mr. Young and Ms. Eberle all explained that he should not get frustrated by the review letter issued and that his project is doable. Ms. Eberle stated that he should brainstorm with his consultants to find a way to accomplish what he wants to do without having to seek relief from the Zoning Hearing Board. She also advised him to try to obtain the AutoCAD file from All County to provide to his new consultant and she took time to explain the process to Mr. Nenner. Ms. Ryan reviewed the EAC comments with respect to the Sketch Plan. The EAC felt that providing some parking on grass was a good idea and that due to their concern with buffering of the stream, they would like to see the tree line moved closer to the building. They were also concerned with the positioning of the septic system with regard to the stream and if the septic needed to be moved, it should be moved further away from the stream. Finally, she wanted Mr. Nenner to be aware that the property is in the Taylorsville affected area of the 537 Plan.

CURRENT AND NEW BUSINESS:

Financial Drive – Through Ordinance, JMZO: Mr. Wydro explained that this came about because an applicant in Newtown is proposing a bank with a drive through next to Ice Cream Alley and the residents are opposed to any entrance from Durham Road. Ms. Eberle stated that she had not yet received a copy of the draft ordinance from the Jointure Solicitor. Ms. Traina stated that the Joint Planning Commission had reviewed the draft ordinance and that there will be revisions before it is discussed again. The discussion was tabled until the Township receives a copy of the draft ordinance.

Before moving on to the next item, Mr. Wydro commented on the Energy Ordinances from the County which were included in the packets to the Planning Commission but were not on the agenda. He does not believe that the Planning Commission should proceed with discussions regarding this because he is providing a lot of information to the JPC on the subject and felt nothing should be done at the Township level at this time. He discussed the fact that the efficiency of solar cells need to be increased while the cost must decrease and that the industry needs to do more research and development for those purposes.

Upper Makefield Township Planning Commission 2012 Reorganization: Mr. Wydro asked for nominations. Mr. Lieberman made a motion to nominate Walt Wydro as the Chair. Mrs. Pisaurio seconded the motion. All were in favor and the motion passed. Mr. Wydro then asked for

nominations for Vice Chair. Mr. Curtin made a motion to nominate Karin Traina as Vice Chair. Mrs. Pisauro seconded the motion. All were in favor and the motion passed. Therefore, Mr. Wydro will continue as Chair and Ms. Traina will continue as Vice Chair.

The meeting was adjourned at 8:15 pm.

Submitted by: Phyllis Mehler
Approved: February 22, 2012