

# Upper Makefield *Township*

## Planning Commission Meeting

Wednesday, June 24, 2015

The June 24, 2015 public meeting of the Upper Makefield Township Planning Commission was called to order by Chair Karin Traina at 7:00 p.m. In attendance were the following members of the Planning Commission: Kathleen Pisauro, Ken Rubin, Richard Latella and Phil Feig. Also in attendance were Director of Planning and Zoning, Dave Kuhns and Board of Supervisor's Liaison, Mary Ryan.

**I. Call to Order: 7:00 p.m.**

**II. Public Comment:** no public comment.

**III. Approval of Meeting Minutes:**

**A. May 27, 2015** – Ms. Pisauro motioned to approve the meeting minutes as revised, Ms. Traina second the motion. Motion passed: 5-0.

**IV. Land Development:**

**A. Spears Planning Module, 86 Van Sant Road – Primary and Accessory Uses:**

Applicant was not present. Mr. Kuhns gave an overview of the application which included a modification to the planning module submission. Mr. Rubin brought to Mr. Kuhns' attention that the original application had 3 residential homes which was not the case. The application consisted of a primary residence, an accessory apartment and a pool house. The existing house would be torn down, a new house would be built as well as an accessory apartment and a pool house. Ms. Pisauro questioned how could they be sure that the apartment will only go to family? Mr. Kuhns stated that there was a section in the JMZO which stated that the accessory use was only for family, servant, or relative. The Township rarely has had a problem in the past with an accessory apartment not being in compliance. Ms. Ryan confirmed that she only knew of one instance where an apartment had been used and rented to a public person. An accessory apartment could consist of one bedroom, bathroom, and kitchen. Mr. Rubin stated it was a useful provision for a rural area; the provision allowed residents to use their property the way they want. He had neighbors who had built an accessory apartment for their grown children to live on the property. Accessory buildings and accessory apartments have different definitions. A non-residential building had to go through land development.

Mr. Feig questioned how to reconcile between the landowner and the Township with respect to paragraph 14. of the On-Lot Sewage Maintenance Agreement which stated ... two accessory dwellings (guest houses), and any increase use of the Property ... and further stated that the Agreement with the Township referred to two guest houses and the application was stating a pool house. Mr. Rubin stated that the plan would need to be revised.

Ms. Traina asked if that would change the engineer's point of view if the two accessory units were both occupied as apartments. Mr. Kuhns clarified the engineer's review would be for zoning issues. Ms. Traina questioned if the calculations would change depending on the intended use. Mr. Kuhns stated that it did not matter; does matter if it was a single family dwelling.

Mr. Feig commented on Section A. 2. of the DEP's review of the Sewage Facilities Planning Module. The DEP's review consisted of the submission being for the construction of a 5-bedroom primary residence; a detached accessory structure with a secondary residence and a second accessory structure with a full bathroom, possible kitchen (ette) and the option for a Tertiary Residence which was beyond the scope of what the Planning Commission was speaking about. Mr. Kuhns stated that the entire document would be reviewed with the author and Del Val to confirm that all the references would be changed. Mr. Feig suggested that the references be consistent.

Ms. Traina confirmed that the current plans were for one apartment and one pool house. Ms. Pisauro stated that she could see a pool house with a kitchen but a bedroom could be easily added to the pool house; therefore, suggested that the applicant be more definite on their wording of their intent. Ms. Pisauro was concerned with the applicant changing the wording to meet the ordinance (pool house now being an accessory building). The tertiary accessory would change the on-lot system.

Mr. Rubin stated that prior to their recommendation to the Board of Supervisors, the plan should be revised to clearly state that the applicant was (i) entitled to rebuild the residence, (ii) have one additional accessory residential dwelling, (iii) the pool house with a bathroom, and (iv) anything else must comply with Article 803 H-4. Ms. Pisauro requested that the applicant revise all plans including the site plan making them consistent and clear, label all documents and structures, and resubmit to the Planning Commission for their review.

Applicant would need a variance for a third structure or accessory building with a bathroom.

## **V. Zoning Matters:**

**A. McAllister Sign Review, 1084 Taylorsville Road:** Applicant was not present; therefore, Mr. Kuhns presented the review which was identical to the last sign application. Mr. McAllister and his partner purchased this property which was located in the Crossing. The sign was consistent with the sign located at the corner of 532 and Taylorsville. Since the sign met all the requirements of the Ordinance, Ms. Pisauro motioned to approve, Ms. Traina second the motion. Motion passed: 5-0.

## **VI. Current and New Business:**

Mr. Kuhns informed the Planning Commission that he received plans for the Dunkin' Donuts (with no drive thru) which would be located in the shopping center where Plan B

was. The application would be a long process with extensive changes to the interior and calls for a hot pink and orange sign. The building application would not come before the Planning Commission; only the sign application. The landlord/tenant was a private individual who already owned several of the Dunkin' Donuts' franchises. The realty space of the shopping center remained available.

**VII. Liaison Report:** Liaison, Ms. Ryan reported:

- The Board of Supervisors denied the White and Melsky submissions. Toll Brothers appealed the decision; Mary Eberle, Esq. was in the process of reviewing the appeal.
- The Township was moving forward with the 2015 road improvement projects. Many of the improvements were in the Mt. Eyre area. Little Road (which was located near Traditions) was added to the list of road improvements. Spencer, Walker, Crestwood and Little Road would be resurfaced; drainage work would occur on Glenwood Road. Improvement projects had been bid out and work was scheduled to begin after July 4<sup>th</sup>.
- The Township hired a part-time Public Works Administrative Assistant, Debra McFadden.
- The weekend of June 19<sup>th</sup>, a flagpole dedication was performed at Brownsburg Park by an Eagle Scout. The young Eagle Scout put in 3,000 lbs. of concrete into the ground for the flagpole. The flagpole was huge, very impressive and would be lit 24/7 by solar lighting.
- The tennis and basketball courts have been completed at Brownsburg Park.
- The Board of Supervisors approved a riparian grant application from Jericho National Golf Club which included a large section of Jericho Creek. The Jericho National Golf Club agreed to work with the Township and the neighbors in the restoration process.
- The Township applied for a DCED Grant which was a way to decrease flooding at the intersection of Woodhill and Taylorsville Roads which was a dangerous area. The Homeowner's Association of Timber Knoll was helpful in assisting with this project. An infiltration basin that ran along Taylorsville would infiltrate the water. The Grant amount was \$280,000 and the Township agreed to pay the 15% match. If the Township received the Grant the timeline could be a couple of months, possibly starting in the fall.

**VIII. Adjournment.** A motion was made by Mr. Feig and second by Mr. Rubin to adjourn the meeting. Meeting adjourned at 7:52 p.m. All in favor.

Approved: 7-22-15