

Upper Makefield *Township*

Planning Commission Board Thursday, May 5, 2016 Meeting Minutes

The May 5, 2016 public meeting of the Upper Makefield Township Planning Commission was called to order by Chair Karin Traina, at 7:02 p.m. In attendance were the following members of the Planning Commission: Vice Chair Kathleen Pisauro, Member Walt Wydro, Member Phil Feig, and Member Bud Baldwin. Also in attendance were Township Solicitor Mary Eberle, Township Engineer Larry Young, and Director of Planning and Zoning Dave Kuhns.

Land Development:

Melsky Final Subdivision Plan

Mr. Marc Kaplan, Counsel to Toll Brothers, presented the plan to the Planning Commission. Mr. Kaplan elaborated on the history of the Subdivision Plan. Ms. Traina requested that he provide focus the presentation on changes which have been made to the plan since the last final plan application in 2015. Mr. Kaplan said that the infiltration facilities have been removed from the plan because soil tests show that the soils do not meet the ordinance requirements for infiltration. Larry Young addressed his review letter with the Planning Commission. Mr. Young noted that the detention basins were still in the open space. Mr. Kaplan also stated that they will change the plans to include separate lots for the storm water structures. Mr. Young stated that more storm water testing before there can be a decision made as to whether infiltration is possible. Mr. Young noted that he has been requesting this testing for some time, but the applicant has not done uniform testing. Mr. Young also expressed concern that a test pit on the 2015 which infiltrated successfully has been removed from the plan. Mr. Kaplan said that the front yards of all building lots would have amended soils to address water quality since infiltration was not being proposed. The Planning Commission asked questions and expressed concerns with the amended soils. Mr. Young said that amended soils under walkways and driveways would be a problem. John Bianco, P.E. stated that the amended soils would not be under walkways and driveways. Mr. Young questioned whether the future owners of the building lots would be able to disturb any soil in their front yards, and questioned whether additional landscaping and hardscaping could be installed. Jane Johnson, Party to the Litigation, stated that amended soils would be problematic including compaction and oversight of the maintenance. Darryl Zazlo, Counsel to the resident parties, questioned whether Toll can submit a new plan after the plan has been denied. He also questioned whether the remand directed a review of the 2007 plan and whether the applicants had the legal authority to file amended plans. Phil Feig, Bud Baldwin, Walt Wydro, and Kathleen Pisauro all stated that the plan does not comply with ordinances. Ms. Traina emphasized that the drainage basins be on their own lots. Motion was made by Ms. Pisauro to recommend denial of the plan and was seconded by Mr. Baldwin.

All were in favor.

Zoning Matters:

OLDS Ordinance Amendments was tabled until May 25, 2016 meeting.

Siligato Planning, Module, 3 Lot Subdivision

Motion was made Mr. Feig to recommend approval of the planning module. Seconded by Ms. Pisauro. All were in favor.

Road Closure Ordinance

Ms. Traina asked Dave Kuhns to place on the next Planning Commission agenda a separate Special Events Ordinance. Mr. Baldwin recommended approval of the Road Closure Ordinance and Mr. Wydro seconded the motion. All were in favor.

Adjournment

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

The Meeting was adjourned at 9:34 P.M.

Submitted by: Debra McFadden

Approved: May 25, 2016