

Planning Commission Board
Wednesday, June 26, 2019 Meeting Minutes

The June 26, 2019 public meeting of the Upper Makefield Township Planning Commission Board was called to order by Vice Chair Kathleen Pisauro at 7:00 p.m. Ms. Pisauro announced that the Wolfinger Sub-Division Plan was removed from the Agenda. In attendance were the following members of the Planning Commission: Vice Chair Kathleen Pisauro, Member Jack Wiseman, Member Bud Baldwin, Member Phil Feig, and Member Ken Rubin. 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, Vice Chair Kathleen Pisauro: Kathleen Pisauro confirmed a quorum.

Approval of Minutes:

- A. **April 24, 2019:** Two missing items in the minutes were noted including the vote to approve the March minutes and the “West” in the Brownsburg Rd. address
Mr. Baldwin made a motion to approve the minutes with the addition of the two missing items.
Mr. Feig seconded. The motion carried with a unanimous vote.

Land Development:

A. **Patel Land Development Plan, 371 Stoneybrook Road:**

The following were present representing the property at 371 Stoneybrook Road:

- Kris Reiss, P.E. from Boucher & James, Inc.
- Mr. Patel, property owner

Mr. Reiss gave an overview of the project including the construction of one single family home and a long driveway serving the home from Stoneybrook Road. Since the last time the project was before the Planning Commission Board, Mr. Reiss stated that a number of approvals have been received:

- Conditional Use approval by the Board of Supervisors with certain conditions including a no-mow zone and re-forestation planting, etc.
- Zoning Variance approval to have the second house built on the property.
- Verbal approval from the Zoning Hearing Board for the variance needed for work within the Flood Plain but has not yet received written approval.

Discussion followed in reference to Tri-State Engineering letter dated 6/19/2019:

- Mr. Reiss stated that all items in the letter are will comply or are a requested waiver.
- The Planning Commission went through each waiver. Mr. Young explained each waiver as needed as well as answered questions by the Planning Commission. All waivers received consensus except #6 (re: setting of monuments). Mr. Reiss withdrew Waiver #6 and stated that all monuments will be set.

Mr. Reiss and Mr. Patel agreed to provide a revised plan to include all conditions and waivers.

Ms. Eberle wrote the following based on what was discussed: Approval subject to (1) compliance with recommendations set forth in Tri-State Engineering 6/19/19 review letter, (2)

revision of the plan to show compliance with the conditions of the Conditional Use Hearing and the Zoning Hearing Board, and (3) granting all the requested waivers except the waiver for the monumentation.

A motion was made by Mr. Baldwin to take Ms. Eberle's explanation of the motion for final plan approval for 371 Stoneybrook Road, the Patel family.

Motion seconded by Mr. Feig.

The motion carried with a unanimous vote

Zoning:

A. Evanchik (Maher) Sign Application, 1081 General Green Road:

Present were Mr. Joseph Maher, building owner and Ms. Colleen Evanchik.

Ms. Evanchik explained her need for an office at 1081 General Green Road (wanting a presence in the Village) and the importance of a sign. The proposed sign design was presented.

Mr. Kuhns confirmed that the sign design (height, size, colors, location, sight distance, etc.) meets the requirements of the Ordinance. Mr. Kuhns also confirmed that it will be outside of the site triangle.

A motion was made by Ms. Pisauro to recommend approval.

Motion seconded by Mr. Wiseman.

The motion carried with a unanimous vote.

B. Olsen Sign Application, 1091 General Knox Road:

Present was Ms. Suzanne Olsen, owner of Noah & Lilly Kitchen Design, renting building at 1091 General Knox Rd.

Ms. Olsen explained that she would like to put up a sign for her business on the building that she's renting but the size allowed for the sign above the front is only 2 square feet. She would like to put a sign that looks professional and matches the larger size of the other businesses' signs in the building and is requesting approval to do so.

Ms. Eberle explained to Ms. Olsen that the Planning Commission can only approve the sign design and that they do not have jurisdiction to grant a variance from the Ordinance which would allow her to put up a larger sign. For a variance to be granted, an application needs to be submitted to Zoning Hearing Board which Mr. Kuhns can help with. Ms. Eberle and Mr. Kuhns clarified the time table for applying and receiving approval from the ZHB and pointed out that

after ZHB approval, the Planning Commission would still have to review and approve the sign design per the sign guidelines.

Existing signs, those on the building as well as free standing signs, were also discussed. It was noted that many businesses have building signs that are larger than allowed and therefore are in violation of the Ordinance, which should be addressed. It was also argued that perhaps it's time to change the Ordinance.

Newtown Area Joint Comprehensive Plan Update:

Ms. Eberle summarized the email about the Comprehensive Plan from Vicki Kushto (Solicitor for the Jointure) stating that Vicki is asking that each member of the municipality approve the proposal and they're looking for Planning Commission reviews so that there's a review of the proposal by the Planning Commission and a recommendation to the Board of Supervisors, who would then act on it at their 2nd meeting in July.

The Planning Commission and Ms. Eberle voiced confusion as to what they are supposed to be reviewing since the proposal is about cost and the Planning Commission doesn't usually deal with money issues.

Lisa Wolf, Senior Planner at the Bucks County Planning Commission, who is working with the Newtown Area Joint Zoning Council, responded:

- The Jointure feels it's time to look into updating the Comprehensive Plan.
- Current Comprehensive Plan is shared by 3 communities.
- Current plan is dated 2009 and the Municipalities Planning Code recommends that plans be updated every 10 years.
- Updating is important because there are lots of changes that have occurred since 2009 (population, housing, land use, etc.)
- Updating is also important to re-evaluate the policies in the plan which zoning is based.

Ms. Wolf said that her agency is a Planning Consultant asked by the Jointure to come up with a proposal. She pointed out specific items that they are suggesting be updated as well as an optional resident survey (which is adding to the cost).

Discussion followed about who's actually conducting the review/revision, the proposed cost involved and why addition funds are necessary, the allocation of the cost, etc. Mr. Rubin stated that taxes are paid to the County, the County funds the Planning Board with the taxes, and now the Planning Board is being paid again by the Townships to do the review. The bidding process should be followed.

Ms. Eberle reiterated that the Planning Commission is not authorized to review expenditures and stated that for the Planning Commission to make an informed recommendation to the Board of Supervisors, they need more information for example: How necessary is this update? Is there one of the municipalities that needs this to be done (due to MPC requirements)? Is this a fair price? Therefore the only question pertinent to the Planning Commission is whether there is anything in the scope of the plan update that they would like to see included if Board of Supervisors approves it. Discussion followed:

- Whether the historical content of the Jointure is included, how Jointure was organized, and its sustainability moving forward.
- What triggered the request to do this update, request vs 10 year MPC requirement?
- The legal necessity and need for the update.
- Confirmation that a draft of Comprehensive Plan will be provided to the Planning Commission at some point for their review.

Mr. Baldwin made a motion that within the limitations of Planning Commission's reviewing authority to recommend updating the Comprehensive Plan.

Motion seconded by Mr. Wiseman.

The motion carried with a 4 to 1 vote.

Ms. Eberle verified that this will be on the Supervisor's Agenda for July 16th.

Liaison Report:

Dr. Ford reported that the Melsky remand hearing has ended.

Discussed was the overall issue of signs, referring to the earlier conversation with Ms. Olsen:

- Current sign ordinances need to be reviewed and most likely amended.
- There needs to be a survey of signs (mainly in the Crossing area), including taking a series of pictures of the existing signs, etc.
- Perhaps elimination of stand-alone signs.
- Planning Commission should come up with something more reasonable; perhaps put together a recommendation, suggest regulations, etc. and draft an ordinance for the Board of Supervisors.
- Mr. Kuhns to follow-up with Ms. Olsen and discourage application for now pending the suggested sign study.

Also discussed was the moving of the David Library and what portion of the property is under the Conservation Easement and what part can be developed.

Adjournment:

A motion was made by Mr. Baldwin to adjourn the meeting and was seconded by Mr. Wiseman. Motion carried by a unanimous vote. The meeting adjourned at 8:02 p.m.

Approved: August 28, 2019