

Upper Makefield *Township*
Environmental Advisory Council Meeting
July 9, 2019 Meeting Minutes

The July 9, 2019 public meeting of the Upper Makefield Township Environmental Advisory Council was called to order by Chair Bud Baldwin at 7:09 p.m. In attendance were the following members of the Environmental Advisory Council: Chair Bud Baldwin, Vice Chair Keith Miller, Member Harry Barfoot, Member Nicole Khan, Member Cathy Magliocchetti, Member Tim Thomas and Member Jack Wiseman. Also in attendance were Board of Supervisors Liaison, Diana Nolan and Planning and Zoning Director Dave Kuhns.

Confirmation of Quorum: Mr. Baldwin confirmed quorum.

Public Comment:

There was no public comment.

Approval of Meeting Minutes:

- A. **April 9, 2019:** A motion was made by Mr. Wiseman to approve the April 9, 2019 minutes with no amendments. The motion was seconded by Mr. Barfoot. The motion carried with an unanimous vote.
- B. **May 14, 2019:** A motion was made by Mr. Wiseman that the May 14, 2019 minutes are passed forward as printed. The motion was seconded by Mr. Barfoot. The motion carried with a unanimous vote.

Land Development:

A. Geopedior Assoc., LP – 386 Brownsburg Road – Subdivision Application:

Mr. Edward F. Murphy, Esq. with Wisler Pearlstine, LLP represented the Land Development submission for 386 Brownsburg Road.

Mr. Murphy began by explaining the Phase XI Subdivision Application for Geopedior. Mr. Murphy explained that the plan was put together 25 years ago. In the early 1990's a plan was submitted for the North and South side of Brownsburg Road. A master plan was developed from this submission and agreed upon in October of 1994. There were Eleven phases to that overall plan, and the current submission by Geopedior is the final eleventh phase. With that finalization there were agreements regarding which ordinances applied, which didn't; and what would happen if the golf course ceased operations. Also in the agreement of October 1994 was that if the golf course ceased operations the land could be redeveloped with 30 houses on the golf course. There are no plans in the horizon to cease operations of the golf course. That redevelopment of the golf course if there were a cease in operations would be separate from the current subdivision plan that represents phase XI.

Phase XI is a single cul-de-sac with a single point of access from Brownsburg Road with lots around the cul-de-sac. There was an older neglected house on this lot that was removed about

six years ago. Mr. Murphy noted that the Phase XI was previously approved, and engineering needs to be detailed and finalized.

Mr. Murphy responded to questions regarding the developer noting that a developer had not yet been selected and would probably not be selected until the lots have been sold.

EAC member inquires and discussion points included the following:

- Township plans to improve Jericho Creek and would like to have further discussions on these efforts in conjunction with the development efforts. Mr. Murphy will discuss these plans with the property owner.
- Clarification of the site lines from Brownsburg Road to the new homes with a walkthrough of the documented plans and the landscape plans. There was agreement among the EAC and BOS representative that plans were well detailed with a vegetative plan.
- Slope to the pond is a concern of EAC members, and there was a request to consider vegetative space around to the pond to preserve the health of the pond.
- Lot 92 septic field placement is a concern as it appears close to property line. It is to be reviewed once the Township Engineer provides a review.

Discussion Items:

A. Spotted Lanternfly – Public Awareness:

EAC members noted the following:

- Sightings of the Lanternfly in Upper Makefield have been few compared to many areas in Pennsylvania.
- Public Awareness Ads have been running on the local access UMTV.
- Mr. Kuhns noted that via a status of the project with Department of Agriculture that they are requiring municipalities to inspect their trucks and public works is doing this. training and awareness for all municipalities in Pennsylvania, especially targeting the Public Works department.
- Ms. Nolan will announce a reminder about the next BOS meeting.

B. Program for Public Information:

- EAC members noted that this program ties into the mission of the Lower Delaware Wild & Scenic River Management Council.
- Mr. Kuhns noted how the CRS program lowers flood insurance rates for our residents and how the discounts increase as the Township increases activities for Floodplain awareness activities.
- EAC members discussion clarified that the CRS discount was available for all residents, and that there are different floodplain insurance rates based on the location of the property in the different FEMA flood zones.

C. Lower Delaware Wild & Scenic River Management Council:

EAC members discussed the following:

- Historical reference was provided by Mr. Baldwin and how the mission of the organization has vastly changed from a scenic river mission to more of a flood preventive, preparedness and protection mission for the Delaware River.

- Upper Makefield Township is designated as a community by the Lower Delaware Wild & Scenic River Management Council, but the UMT Board of Supervisors need to accept this designation. This will require a resolution by Upper Makefield Township.
- Requirements were discussed and EAC members felt that there were no concerns with recommending that the Board of Supervisors move forward with the resolution.
- Mr. Kuhns will gather some additional information and will add to a future agenda for further discussion.

Liaison Report:

A. Board of Supervisors: Diana Nolan

- Finished the Toll Remand discussions with the Board of Supervisors and will begin discussions on what to present to the judge for the Melsky Tract.
- The gun range across the river in New Jersey is causing a lot of noise pollution and some residents feel the noise is getting worse and is very disturbing. The Board of Supervisors is working with Brian Fitzpatrick to get a letter to the Congresswoman in New Jersey. New Jersey does have noise laws, but they are unable to enforce. The Board of Supervisors is exploring legal channels with the Township Solicitor. Ms. Nolan requested suggestions and EAC members offered the following:
 - Continue legal avenues as the noise is not as disturbing on the New Jersey side because the noise is not amplified as it is on the Pennsylvania side of the river.
 - Placement of noise meters on properties in Upper Makefield to determine if the Upper Makefield noise ordinances are being violated. This will require professional monitoring to gather the data. If local ordinances are being violated, there may be some enforcement steps that can be taken.

B. Park & Recreation: Cathy Magliocchetti

- No report as they did not meet.

C. Planning & Zoning: Dave Kuhns

- Nothing to report.

Public Comment:

There was no public comment.

New Business:

A. Open Space Requests:

- a. General clarification that Land Development or Open Space requests must be initiated from the property owners, and these requests, once made to the Township will be reviewed by the EAC. There was acknowledgement that Open Space funding has dwindled for the Township, so at this time the Township has limited resources for acquisitions.

B. Resident Participation in Creek Restoration for the Patel Tract:

- a. The Planning Commission did make some overtures regarding the Jericho Creek restoration efforts and the Patel property owner has agreed to plant trees along the creek. Per Mr. Baldwin, the Planning Commission felt that the property owner has been very responsible and cooperative in the design and efforts with the creek restoration.

Adjournment:

A motion was made by Mr. Barfoot and seconded by Ms. Magliocchetti to adjourn the meeting at 8:02 p.m. Motion carried by a unanimous vote.

Approved: September 10, 2019