

Upper Makefield Planning Commission

May 24, 2023 Meeting Minutes

The May 24, 2023 public meeting of the Upper Makefield Township Planning Commission was called to order by Chair Kathleen Pisauro at 7:00 p.m. In attendance were the following members of the Planning Commission: Chair Kathleen Pisauro, Vice Chair Phil Feig, Member Bud Baldwin, Member Harry Barfoot, Member Ken Rubin, and Member Karin Traina. Also in attendance were Township Solicitor Will Oetinger, Township Supervisor Dr. Ed Ford, and Planning & Zoning Director Denise Burmester.

CONFIRMATION OF QUORUM

Chair Kathleen Pisauro confirmed a quorum.

PUBLIC COMMENT

There was no public comment.

APPROVAL OF MINUTES

A motion was made by Ms. Traina and seconded by Mr. Rubin to approve the April 26, 2023 meeting minutes with amendments as stated. Mr. Barfoot abstained. Motion carried by a unanimous vote.

AG SECURITY AREA – ALFARO – 675 EAGLE ROAD

Will Oetinger, Esq. provided an overview of the applications requesting an AG-Security Area.

Discussion followed with the following topics:

- Recommendations that are required from the Township Boards and confirmation of notice to Applicants.
- Explanation regarding the Statutes of criteria to consider with the Ag-security application.
- When approved for “normal” Ag-usage, it allows protection against certain Township Ordinances (uses State guidelines), protection against nuisance suits by neighbors, and makes you eligible for State Preservation Grants.
- Committee members entered into discussion of present use of the property.
 - Activities that are happening at present are not Agricultural and the ASA Board has denied the application.
- 10 Acres and must make \$2000.00 per acre. Discussion commenced:
 - Chickens purchased off site and sold on site. Slaughter after short time. Per Ordinance allowed 169 chickens, as stated from Dept of Health at time of destroying the chickens due to disease, there were 1800.
 - Comments continued regarding the expertise of the Ag-Security Advisory Board and the confirmation that this application does not have the 10 acres are needed to be considered, unless they are able to raise \$2000.00 an acre needed as per the Statute
 - Sale of companion animals does not equate to normal agriculture
 - Participation may be in the details of what are considered Ag activities. Activities appear to be family entertainment.

- Applicants and Planning Commission seem to have differing definitions of normal agricultural operation.
- Suitability of soil for Agriculture.
Discussion commenced:
 - Applicant did not present soil classification, and at present, the soils are being amended.
 - Reference to map qualifications for soils and no testing was presented.
- Comments regarding the “normal Ag-usage activity” is not the intended use by the residents, thus causing protection.
- There is no demonstration of meeting the \$2000.00 yearly income from normal agriculture.
- There is no evidence or demonstration within the application for Ag activities in their plan.
- Land had never prior been used for farming purposes. Planning Commission questioned the compatibility of agriculture on the subject property, especially given the applicant’s understanding of agriculture. Agricultural Security is supposed to protect farms from the growth of non-agricultural development, this seems reverse.

A motion was made by Mr. Barfoot, revised by Ms. Traina, and seconded by Mr. Baldwin to deny the due intention of AG-Use Application as it does not include a description of the Use to show compliance with requirements. The property does not have a long-standing AG Use history and Mr. Rubin denies this as the applicant did not provide and support the requirements of the property to be in an Ag-Security area. Motion carried with a 4 to 0 vote. Motion carried by a unanimous vote.

COMPREHENSIVE PLAN

Wrightstown Township

Ms. Pisauro opened conversation regarding Wrightstown letter from April 2023. No discussion/ No revisions.

A motion was made by Ms. Pisauro and seconded by Mr. Baldwin to accept the comments from Wrightstown Board of Supervisors from Clemens, Victor and Reece dated April 4, 2023.

Motion carried by a unanimous vote.

Upper Makefield Township Next Steps

Mr. Oetinger opened discussion regarding the Upper Makefield changes.

Discussion followed with the following topics:

- He stated we have more than 40 changes
- Committee agreed to review the updates(red line) to be presented by Mr. Oetinger and then make decision on what to include.
- A letter describing the further concepts to be presented for future consideration.

LIASION REPORT

Board of Supervisors - Dr. Ford

Dr. Ford provided Board of Supervisor status on the following topics:

- 106 Buckmanville – 8 car garages for a motor pool.
- The BOS opposed the project, sighting 95 trees to be removed and feel this is the wrong kind of development on the wrong property.

CHAIR REPORT

Kathleen Pisauro

Ms. Pisauro discussed the EV charging station presentation.

- She stated it was informative and concern for apartment complexes and EV car charging. The suggestion was to attach to existing telephone poles which means the cars can park on the streets. Concerns re: the movement of cars after they have charged.
- The Jointure stated an EV Ordinance is on its way.
- EV chargers may limit
- 5G held up in Newtown Township.

ADJOURNMENT

A motion was made by Mr. Baldwin and seconded by Mr. Rubin to adjourn the meeting at 8:43 p.m.
Motion carried by a unanimous vote.

Respectfully submitted,



Denise Burmester

Director of Planning & Zoning

Approved: June 28, 2023