

# **Upper Makefield Planning Commission**

## **June 28, 2023 Meeting Minutes**

The June 28, 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 Ken Rubin, Member Karin Traina and Member Jack Wiseman. 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**

David Wilkinson of 22 Timber Knoll in Washington Crossing, questioned the “Zaveta” proposal being cancelled? Will Oetinger, Township Solicitor, answered stating there has been no formal action by the Township as the presentation was only a Sketch Plan. Mr. Wilkinson then questioned statements of April meeting minutes. Denise Burmester noted that clarification of the meeting minutes was raised by the Planning Commission and had been updated in the published minutes. Ms. Burmester to verify the published minutes.

### **APPROVAL OF MINUTES**

A motion was made by Mr. Wiseman and seconded by Mr. Baldwin to approve the May 24, 2023 meeting minutes. Motion carried by a unanimous vote.

### **LAND DEVELOPMENT WAIVER – 1253 RIVER ROAD – FRANCISCOS – TENT**

Mr. Argueta was not present at the time of presentation, and he was scheduled to be there.

A motion was made by Mr. Wiseman and seconded by Mr. Baldwin to table the discussion until later in the meeting. Motion carried by a unanimous vote.

Francisco Argueta arrived later in the meeting and provided an overview of the applications requesting his outdoor tent become a permanent structure for outdoor dining.

Discussion followed with the following topics:

- He wants the tent to become permanent structures for patrons who want more distance from confined inside dining.
- Mr. Young questioned the process itself. The drawing submitted with the application does not reflect the actual plot lines.
- The Planning Commission had concern with deeming a tent as a permanent structure.
- Mr. Argueta stated other businesses in the area leave their tents up for 9 months at a time. He has no problem taking his down in January and replacing it in February.

### **SUBDIVISION – KANIEWSKI RANCH – 2955 WINDY BUSH ROAD**

Joe Blackburn from Wisler Pearlstine, LLP provided an overview of the applications for subdivision into seven lots. Zoning information states that the area is 37 acres in the Conservation Management (CM) zoning district. Five lots will contain single family dwellings, one lot to remain as reserved open space with approximately 16.65 acres. Roadway and cul-de-sac will remain privately owned and maintained by the HOA/owner. A variance was granted by the Zoning Hearing Board in May 2022 for Agricultural Soil Disturbance. This subdivision and dwelling are to be occupied by the owner's family.

Discussion followed with the following topics, following the Engineering Review letter dated June 22, 2023:

Item #3 - Waiver - lot with open space is designed as landlocked with no access.

A motion was made by Ms. Pisauro and seconded by Mr. Baldwin to approve an (Item #3 - Waiver) Easement from the cul-de-sac into the open space for access of the residents and to have Township access and to be able to support the weight of any fire or emergency vehicles and/or equipment. Motion carried by a unanimous vote.

Item #4 - Waiver - Street frontage is designed below the 200 ft. frontage for lots 4 and 5.

- Discussion continued regarding restraints of the cul-de-sac and need for widening the road. Discussed impervious area of 32% at present, and if widened it would push up to 35%. Stated the response from the Fire Marshal had not been received by the Applicant's Engineer.
- Swales and pull-off areas were discussed. The Fire Marshal wants 24 ft. wide area. They talked about size of pull-off area.
- ROW was examined for each of the lots – smallest lot measurement is 100 ft.

A motion was made by Ms. Traina and seconded by Ms. Pisauro to approve Wavier 4. Motion carried by a unanimous vote.

Item #5 - Waiver - Curbing not provided in design and would require a 7 ft. shoulder.

- Applicant stated that since this is a "private" roadway, that this would not be necessary. Pull-offs would be added (7ft wide). Waiver to not be required to have the 7 ft. minimum. Proposing no shoulder.

Planning commission decision to hold on Waiver until they have Fire Marshal input.

Item #6 - Waiver - Curbs and sidewalks - None proposed in plan.

A motion was made by Mr. Rubin and seconded by Ms. Traina to approve Wavier 6, to not require curbs and sidewalks. Motion carried by a unanimous vote.

Item #7 - Waiver - Cartway width - Decision to hold on vote until the Fire Marshal input is received.

Item #8 - Waiver - Cul-de-sac with length to exceed 500 ft. (total proposed is 982 ft.) – Bulb of

cul-de-sac (35 ft. proposed) was of concern. Decision to hold on vote until Fire Marshal input received.

Item #9 - Waiver - Bulb of cul-de-sac omission - minimum of 18 ft. needed.

Pie shaped parcels cause frontage limitations. Fire Marshal has concerns for fire/water trucks. A motion made by Ms. Pisauro and seconded by Mr. Wiseman that no island be installed in the center of the cul-de-sac. Motion carried by unanimous vote.

Item #12 - Waiver - Stormwater and Grading - Proposed conservation development.

- Does not want to grade out as far as required to conserve the earth disturbance.

A motion was made by Ms. Traina and seconded by Mr. Wiseman to approve to conserve earth disturbance. Motion carried by unanimous vote.

Item #14 - Waiver - Preserving meadowland.

- This will need to be revisited by Architect and Engineers.

Item #15 - Waiver - Storm sewers placement.

- To not have storm pipes in street. Promoting roadside swales. Mr. Young stated this would have to be addressed at each driveway.

A motion was made by Ms. Traina and seconded by Mr. Wiseman to approve this Waiver. Motion carried by unanimous vote.

Item #16 - Waiver - Size of storm sewers.

- To allow storm sewer pipes in basin only, to be greater than 15" in diameter with upgrade < ½%. These are not conveyance pipes.

A motion was made by Ms. Pisauro and seconded by Ms. Traina to approve this Waiver with amendment. Motion carried by unanimous vote.

Item #25 & 26 - Waiver - Relief from having curbs and sidewalks.

(already addressed)

A motion was made by Ms. Pisauro and seconded by Mr. Baldwin to approve this Waiver. Motion carried by a unanimous vote.

Item #28 - Waiver - Installing permanent firefighting hydrant system.

- Suggestion for dry hydrant or other option. They will coordinate with the Fire Marshal on this waiver.

Item #29 - Waiver - Preliminary Plan to be considered Final Plan.

A motion was made by Mr. Baldwin and seconded by Ms. Pisauro to deny this Waiver. Motion carried by a unanimous vote.

Item #32 - Waiver - Waiver from Environmental Impact Assessment (EIA) requirement. A motion was made by Mr. Baldwin and seconded by Ms. Pisauro to deny this Waiver. Motion carried by a unanimous vote.

Item #36 - Waiver - Waiver from having to notify anyone within 500 ft of plan.

- They will supply an aerial view of property.

A motion was made by Ms. Traina and seconded by Mr. Baldwin to approve this Waiver. Motion carried by a unanimous vote.

Item #41 - Waiver - Impervious area.

- This will be readdressed with amendments from this meeting.

**All other Waivers, other than ones listed will be complied with thru #61.**

Lot 1 was discussed, as it will not be a “residential dwelling” property, but will be remodeled as a “Clubhouse”, tennis courts, etc. The Committee asked for clarification of Clubhouse.

### **WC OVERLAY – SIGN – CINCO DE MAYO – 1118 TAYLORSVILLE ROAD**

Juan Diaz, Eduardo Diaz and Joannie Diaz, owners of the Cinco de Mayo restaurant, provided an overview of the application requesting a Sign design for the Washington Crossing Overlay.

Discussion followed with the following topics:

- Signs are not allowed to be lit interiorly. The sign will have no change in lighting that is currently non-conforming.
- The font of the writing to be corrected.
- Green cacti will be removed.

A motion was made by Ms. Pisauro and seconded by Mr. Baldwin to approve the signage with said amendments. Motion carried by a unanimous vote.

### **PUBLIC COMMENT:**

Tim Thomas of 134 Glenwood Dr. in Washington Crossing, stated he had been approached by another resident with concern to the Mariachi Player statue, asked if it was allowed. Denise Burmester stated that the statues are being handled as a separate matter.

### **COMPREHENSIVE PLAN – UMT FINAL REVIEW**

This was tabled until the next meeting.

### **LIASION REPORT**

#### **Board of Supervisors - Dr. Ford**

- Agricultural Security Area Application for 675 Eagle Road was withdrawn by the applicant.

### **NEW BUSINESS**

- **Policy for submission**

The Planning Commission discussed a policy for submission of documents for review. Discussion of what a reasonable time frame might be for admitting a document into the meeting. Agreement among the members that any document requiring staff review comments to be submitted 4 days prior to the Planning Commission meeting. Any additional documents or exhibits must be submitted the Thursday before the Planning Commission meeting for distribution.

### **ADJOURNMENT**

A motion was made by Ms. Traina and seconded by Mr. Rubin to adjourn the meeting at 9:15 p.m. Motion carried by a unanimous vote.

Respectfully submitted,



Denise Burmester

Director of Planning & Zoning

Approved: July 26, 2023