

Upper Makefield Board of Supervisors

February 6, 2024 Meeting Minutes

The February 6, 2024 public meeting of the Upper Makefield Township Board of Supervisors was called to order by Chair Yvette Taylor at 7:30 p.m. In attendance were the following members of the Board of Supervisors: Chair Yvette Taylor, Vice Chair Ben Weldon, Treasurer Braun Taylor, Member Tom Cino and Member Tim Thomas. Also in attendance were Township Manager David R. Nyman, Assistant Township Manager Judy Caporiccio, Township Solicitor William Oetinger, Esq., Township Engineer Amanda Fuller, P.E., Planning & Zoning Director Denise Burmester and Chief Schmidt.

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Ms. Taylor led in the recitation of the Pledge of Allegiance which was followed by a moment of silence.

ANNOUNCEMENTS

Ms. Taylor made the following announcements:

- Township offices will be closed on Monday, February 19 for the Presidents Day holiday.
- An Executive Session will be held following tonight's meeting to discuss potential litigation.

PUBLIC COMMENT

There was no public comment.

APPROVAL OF MINUTES AND BILLS PAYABLE

A motion was made by Mr. Cino and seconded by Mr. Weldon to approve the January 16, 2024 meeting minutes. Motion carried by unanimous vote.

A motion was made by Mr. Cino and seconded by Mr. Thomas to approve the February 6, 2024 Bills Payable List in the amount of \$317,966.70. Motion carried by unanimous vote.

BOARD AND COMMISSION APPOINTMENTS

Ms. Taylor read the following list for (re)appointment considerations:

- Kathleen Pisauro to the Planning Commission for a term which expires 12/31/27
- Leena Saini to the Planning Commission for a term which expires 12/31/27
- Melissa Carpenter to the Park & Recreation Board for a term which expires 12/31/27
- Carolyn Dorph to the Environmental Advisory Council for a term which expires 12/31/25
- Jack Wiseman to the Environmental Advisory Council for a term which expires 12/31/26
- Ellen Radow to the Environmental Advisory Council for a term which expires 12/31/26
- Nate Semmel to the Historical Advisory Commission for a term which expires 12/31/28
- James Galvin to the Historic Architectural Review Board (HARB) for a term which expires 12/31/28
- Gwyneth Linus as an Alternate member of the Zoning Hearing Board for a term which expires 12/31/26
- Ken Rubin as an Alternate member to the Zoning Hearing Board for a term which expires 12/31/26
- Jason Yager to the Financial Advisory Committee for a term which expires 12/31/26
- Elizabeth Thompson to the Financial Advisory Committee for a term which expires 12/31/26
- David Frascella to the Traffic Advisory Committee for a term which expires 12/31/25
- Leena Saini to the Traffic Advisory Committee for a term which expires 12/31/26
- Sean Cottrell to the Traffic Advisory Committee for a term which expires 12/31/26
- Peter Gilles to the Building Code Board of Appeals for a term which expires 12/31/26

A motion was made by Mr. Weldon and seconded by Mr. Cino to approve the (re)appointments as presented by Ms. Taylor. Motion carried by a unanimous vote.

Ms. Taylor then invited residents interested in filling the vacancy as the Township's representative on the Council Rock Senior Center Board to submit a Volunteer Board Application.

PLANNING & ZONING ISSUES

Kanewski Ranch Subdivision, 2955 Windy Bush Road

Ed Murphy, Esq., represented the applicant and provided an overview of the 6-lot subdivision for 5 single family dwellings and one property with a clubhouse complex. Larry Young, P.E. of Tri-State Engineers was present to respond to questions regarding his review letter on behalf of the Township dated February 1, 2024. Mr. Murphy reviewed each of the waivers requested indicating the rationale for each, and Mr. Young provided further clarification and input. Mr. Murphy indicated that item 15 in the February 1, 2024 Tri-State Engineers letter related to percentage of existing impervious area modeled as meadow in good condition is a will comply and was withdrawn.

Following discussion, a motion was made by Mr. Weldon and seconded by Mr. Cino to grant waivers 1 through 14 listed in the Tri-State Engineers review letter for the Kaniewski Ranch dated February 1, 2024 subject to compliance with any requirements set forth therein. Motion carried by unanimous vote.

There was discussion and clarification regarding consideration for both Preliminary/Final plan approval. A motion was then made by Mr. Thomas and seconded by Mr. Weldon to grant Preliminary/Final Subdivision Plan approval subject to compliance with items 16-51 listed in the Tri-State Engineers' letter dated February 1, 2024, including items identified as will-complies, creation of an HOA, converting the clubhouse language to residence language, HOA ownership of the open space area, replacement of trees in addition to the street and buffer trees to the satisfaction of the Township, as well as compliance with the Fire Marshal letter dated February 2, 2024. Motion carried by unanimous vote.

Resolution No. 2024-02-06-01 – Fenwick Planning Module, 106 Buckmanville Road

Ms. Burmester outlined the request for a sand mound on-lot disposal system for a proposed single family dwelling and noted that an existing septic system will be decommissioned when an existing dwelling is demolished. Design Engineer Dan Humes provided further detail and clarification. Following discussion, a motion was made by Mr. Cino and seconded by Mr. Weldon to approve Resolution No. 2024-02-06-01. Motion carried by unanimous vote.

SOLICITOR'S REPORT

There was no Solicitor's Report.

MANAGER'S REPORT

439 West Brownsburg Road Subdivision – Site Work Construction Escrow (Cash) Release No. 1

Mr. Nyman provided an overview of the request and recommended approval of Site Work Construction Escrow (Cash) Release No. 1. A motion was made by Mr. Weldon and seconded by Mr. Thomas to approve the 439 West Brownsburg Road Subdivision Site Work Construction Escrow (Cash) Release No. 1 in the amount of \$42,521.51. Motion carried by a unanimous vote.

ENGINEERS REPORT

There was no Engineer's Report.

PUBLIC COMMENT

Priscilla Linden, 50 Dillon Way requested an update regarding the Township's efforts to prepare for the upcoming America 250 celebration.

ADJOURNMENT

A motion was made by Mr. Weldon and seconded by Mr. Taylor to adjourn the meeting at 8:32 p.m.

Respectfully submitted,



David R. Nyman

Approved: February 20, 2024