

TOWNSHIP OF LOWER MAKEFIELD
PARK & RECREATION BOARD
MINUTES – JANUARY 10, 2023

The regular meeting of the Park & Recreation Board of the Township of Lower Makefield was held in the Municipal Building on January 10, 2023. Mr. Krauss called meeting to order at 7:35 p.m. and called the Roll.

Those present:

Park & Recreation Board: Douglas Krauss, Chair
Michael Brody, Vice Chair
Kim Rock, Secretary
Mike Blundi, Member

Others: Monica Tierney, Park & Recreation Director
Fredric K. Weiss, Supervisor Liaison

Absent: Rob LaBar, Park & Recreation Board Member
David Malinowski, Park & Recreation Board Member
Dennis Wysocki, Park & Recreation Board Member

REORGANIZATION

Mr. Brody moved, Mr. Blundi seconded and it was unanimously carried to elect Doug Krauss as Chair of the Park & Recreation Board for 2023.

Mr. Blundi moved, Mr. Krauss seconded and it was unanimously carried to elect Mike Brody as Vice Chair of the Park & Recreation Board for 2023.

Mr. Blundi. moved, Mr. Brody seconded and it was unanimously carried to elect Kim Rock as Secretary of the Park & Recreation Board for 2023.

APPROVAL OF MEETING MINUTES

Mr. Brody moved, Mr. Blundi seconded and it was unanimously carried to approve the Minutes of November 8, 2022 as written.

MEMORIAL BENCHES AT GARDEN OF REFLECTION

This item was not discussed as Ms. Ellen Saracini was unable to attend the meeting this evening, and it will be considered at the February meeting.

REVIEW OF OPEN SPACE ORDINANCE

Mr. James Majewski, Community Development Director, was present. He stated the Board of Supervisors was looking to increase open space on the land that is still available for development in the Township. An Ordinance has been advertised that would mandate that all new Subdivisions would require 25% open space as part of the Subdivision. He stated this would be for all Residential Developments in all of the Zoning Districts. He stated in order to make it fair for the developers, the density on the remaining land (the 75% that is declared developable) would be increased, and the minimum lot size would be decreased. He stated the net effect would be that the Applicant would still be able to obtain the full density for the overall property by right. He stated in this way the Township gains open space and the developer does not lose any lots and it would be legally defensible.

Mr. Majewski stated developers could also opt to preserve more than 25% open space, and there is a sliding scale that as they increase the amount of open space, they can gain a little bit more density so that the Township could potentially gain even more than 25% open space. The developer would still be able to maintain the number of units they would get otherwise than what is currently allowed under our Ordinance.

Mr. Majewski stated under our current Residential Zoning, the property could be developed without any required open space. He stated we do offer some alternatives for developers one of which is the Farmland Preservation option which requires 50% open space. He stated that is a lot of the northern end of the Township and he noted the developments of Fairfield at Farmview, Brookfield at Farmview, Leedom's Field, Penn's Field, Makefield Brook, and Heather Ridge; and most of those have the 50% farmland option. He stated all of those farms are preserved by the Farmland Preservation Corporation who own and maintain those properties. Mr. Majewski stated about fifteen years ago, we expanded that to allow for an Open Space Cluster option that did not have to be farmland since it was realized that not all land is suitable for farming; and we still wanted to provide developers with the option of preserving open space. He stated lately developers have not been taking advantage of that which is one of the reasons we came up with mandating open space and taking away the option of just lotting out a piece of property at 100% all lots and no open space.

Mr. Majewski stated a lot of this is in the current Ordinance as Performance Zoning which is where we preserve natural features such as wetlands, water courses, floodplains, woodlands, and steep slopes which are all protected from development. He stated after these areas are identified and mapped, they are deducted from a site's development potential, and the remaining areas can then be developed at a higher density permitted by the Zoning Ordinance. He stated currently for natural resource-protection area, we are providing open space by saying that while you cannot develop those areas, you can develop at a higher density. He stated what is being proposed now is more for a piece of property that has no natural resources where they could theoretically lot out all of the land with roads, houses, and stormwater management facilities.

Mr. Majewski stated the advantage of the Cluster Zoning over conventional Zoning is that you obtain additional open space for the enjoyment of residents, and you get shorter length of roads and utilities which is a lower cost for construction for developers and also lower long-term maintenance costs for the Township with less roads to repave and plow.

Mr. Majewski stated they are working on slightly modifying some of the definitions. He stated there are two definitions of "open space" in the Zoning Ordinance with one being "common open space," which is the area of land within a development designed for the enjoyment of the residents not including streets, parking areas, areas set aside for facilities, detention basins, or other resource-protected lands. He stated currently common open space is required in multi-family developments but not in other Residential developments. He stated there is also a definition for "open lands" which is resource-protected lands including farmland which is part of a Farmland Preservation Conditional Use development or common open space. He stated we will be tweaking the definitions a bit so it is more clear what we will be calling open space.

Mr. Majewski stated the ownership of the open space can be either the form of the Township taking ownership, a Homeowner's Association, a Conservancy taking care of the land, or a Conservation Easement that is designated and delineated that it is an area that is to be preserved in some fashion.

Mr. Majewski stated under the Subdivision and Land Development Ordinance we have similar definitions with the definition of "common open space" being the same, and it does not include streets, parking areas, detention basins; and "open lands" are the same, and they are resource-protected lands or common open space.

Mr. Brody asked if this will include park space if a developer puts in a playground area. Mr. Majewski stated it would include that. He stated they could not build a community center or an indoor recreation facility, but a playground, pavilion, or something that is accessory and minor would be allowed on open space.

Mr. Krauss asked if someone were building a 55-plus Community and they had a community center there, would that qualify; and Mr. Majewski stated that is where we have to tweak the Ordinance a little. He stated the over-55 developments have separate definitions and standards, and we have to review that to make sure we are consistent within Zoning, between Zoning and SALDO, and throughout SALDO. Mr. Majewski stated some people noted a few minor inconsistencies that have caused confusion.

Mr. Majewski stated the Open Space Standards indicate that it should not include land occupied by Commercial, Industrial, Residential, or non-recreational uses or land reserved for those future uses – stormwater facilities and the like. He stated it also states that the open space cannot just be leftover areas or remnants of land after lotting out or other unusable areas so that they cannot put in a small sliver of land for the Township to have to own and maintain when it is really not practical or feasible. Mr. Majewski stated we also have standards on the open space that the parcels have to have a length to width ratio of less than four to one and that they be not less than 75' wide so that you get some kind of useful area whether it is for a neighborhood green, playing fields, or trail links; and it is spelled out in SALDO that you can go less than those dimensions if it is designed for a neighborhood green, playing field, or trail links so it is clear that recreational facilities are allowed in this Ordinance.

Mr. Majewski stated under our current Ordinance, if there was a 100-acre piece of property, they could put 90 to 100 one-acre Residential lots on the property which would have large yards, but there would be no open space. He stated under the proposed Ordinance, there would be 25% open space; and for a 100-acre piece of property that is not encumbered by resources, we would get 25 acres of open space configured in some way to benefit the Township and the residents whether that is in the form of a larger buffer from the roadways, or usable open space for recreational purposes which could be trails, neighborhood greens, etc. He stated they would have smaller lots than they otherwise would have. He stated that is consistent with what we currently have throughout the Township in the R-1 Zoning District as very few of the subdivisions are one-acre lots; and over half of the subdivisions have lots that are a little more than a third of an acre or four-tenths of an acre.

Mr. Krauss asked if this is applicable to developments that would have a certain amount of acreage or a certain number of homes. He asked if someone were to build one house on a three-acre lot, would this new Ordinance be applicable. Mr. Majewski stated it is only applicable to a subdivision; and it would apply to an existing lot that is being subdivided. Mr. Majewski stated there is a minimum size of half an acre of open space.

Ms. Tierney asked how this would impact Park & Rec Fee-In-Lieu; and if the amount of open space is being expanded, would the developers be meeting the recreation needs more frequently and there would be less Park & Rec Fee-In-Lieu influx. Mr. Majewski stated we still have in the Ordinance the option that you can get more lots out of a property by choosing Fee-In-Lieu; and it would be up to the developer with input from the Park Board, the Planning Commission, and the Board of Supervisors. Mr. Majewski stated there have been a few developments that have constructed recreational facilities, and he noted Peake Farm where they Dedicated the land and constructed a playground so that they did not have to pay the Fee-In-Lieu and wanted to add an amenity for their residents. Mr. Majewski stated most developers would prefer to have lots that they build on and not be responsible for undertaking the construction of recreational facilities.

Ms. Tierney asked if they add recreation to the open space that they are required to have, does that count as rec space that would balance out the Fee-In-Lieu; and Mr. Majewski stated they would have to put in improved recreational facilities, and the developer could not just say that they gave the land that the Township could use for recreation which the Township would have to develop. He stated the developer would have to improve it for some use to offset the Fee-In-Lieu of.

Mr. Majewski stated that the parcel that the Fred Allan field is on was actually Dedicated by the developer of the Hidden Oaks Subdivision. He stated they did not improve the land because the Ordinance was different when they did that in the early 1990's. He stated there are not a lot of developers who choose to install the recreational facilities.

Mr. Krauss stated he is concerned that developers may decide to do something less than would have been required rather than paying the Fee-In-Lieu. Ms. Tierney stated they would not want the Ordinance to be an "escape route" of the Fee-In-Lieu and put in not good quality recreation amenities or something that is not really needed by the community just so that they can get around the Fee-In-Lieu. Mr. Krauss stated he understands that there is a process and the

developer would have to go before the Park Board and the Board of Supervisors, and he asked if that is in the Ordinance. Mr. Majewski stated in the Subdivision and Land Development Ordinance there is criteria for determining the location and suitability of recreational areas, and it has to meet an intended use of the Park & Rec objectives, have a relationship to existing recreation areas, the topography has to be suitable, and the on-site improvements need to be commensurate with what you would want to do. Mr. Majewski stated that is something that the Planning Commission and the Park & Recreation provide advice on for any proposed recreation land dedication and any proposed assessment of recreation fees. Mr. Majewski stated that if it is not in the best interest of the Township, the Park Board can recommend that it not be approved as can the Planning Commission; and the Board of Supervisors would take that into account. He stated that is Chapter 178-90/91 of our Subdivision and Land Development Ordinance.

Ms. Rock asked who makes the determination as to who will maintain the 25% and asked if it is the builder, an HOA, or the Township. Mr. Majewski stated if the Township wants the property, we would have to maintain it. He stated if the Township does not want the property but still wants there to be open space for the visual benefit of having open land, that could be maintained by a Homeowners' Association. He stated it would be the Township's choice, and the Township does not have to accept Dedication if we do not want to.

Ms. Tierney asked if the Township is accepting Dedication of property especially if it is going to fall under Park & Recreation, would that come before the Park Board before it is decided by the Board of Supervisors. Mr. Majewski stated it would only if it is park land; and if they are not using that open space as park land and only want to have a big field or plant trees, that would not necessarily come to the Park Board.

Dr. Weiss stated before a developer would come to the Park & Rec Board, the Planning Commission, or the Board of Supervisors there would be a lot of meetings that take place with the Township staff and professionals; and there is a lot of input before it comes to the public meetings. He stated Park & Rec would have a chance through the Department Head along with the Board of Supervisors as to what would be the best use of the land be. Dr. Weiss stated if it did effect Park & Rec Fee-In-Lieu, it would because Park & Rec had already decided on the best use for the land if it is going to be part of the Park & Rec Department.

Ms. Rock asked if wooded land counts as open space, and Mr. Majewski stated the way it is currently written, woodlands does count as open space. He stated at the meeting with the Planning Commission, there was discussion that may not be what was intended, and we are looking at modifying that slightly. He stated in general open lands could include woods.

Mr. Krauss asked if there are any other Townships that do what is being proposed; and Mr. Majewski stated a lot of towns do offer an Open Space-type Cluster Ordinance, and it usually has an option for a developer, but we are looking to make that as a mandate as we want more of an open feel in the Township. Ms. Rock stated she believes Upper Makefield has a similar policy. Mr. Majewski agreed adding that they have done that in some of their subdivisions. Dr. Weiss stated Newtown and Northampton Township also have extensive cluster developments.

Ms. Rock moved and Mr. Blundi seconded to recommend to the Board of Supervisors' approval of the Open Space Ordinance.

Mr. Brody stated he understands that it has to be meaningful open space. He asked if the developers are "able to fight that" if the Township approves it or does the developer have to abide by it, and Mr. Majewski stated it would be a requirement.

Motion carried unanimously.

LIAISON REPORT

Mr. George Schlieben, YMS, stated they finished top dressing a number of fields at Macclesfield Park so that it is more level. The cost was approximately \$40,000 to YMS. He thanked Ms. Tierney for partnering with YMS on this, and they hope to continue to get more maintenance on some of those fields in the spring. Mr. Schlieben stated there has been some vandalism on the fields at the Park, and people have been driving on some of the fields. He stated they are trying to determine who is doing this. Ms. Tierney stated there were three different occurrences. She stated there are cameras throughout the Park, and Mr. Krauss stated he hopes we catch who is doing this.

Mr. Krauss asked if spring registration is open; and Mr. Schlieben stated it is, and they expect the numbers to improve again this year.

DIRECTOR'S REPORT

Projects Update

Ms. Tierney stated the DCNR Phase 2 Memorial Park East project is formally closed out. She stated we requested payment of \$250,000; and the request for payment was approved, and the Township should see that \$250,000 in the next four to six weeks.

Ms. Tierney stated the Schuyler Tennis Court parking lot striping is complete, and all we are waiting for at this point is the painting of the court surface and the installation of the nets which will happen in the spring since we need to have a certain temperature a certain number of days in a row. Mr. Krauss asked if the intention is that YM Tennis will move back to Schuyler, and Ms. Tierney agreed they will once it is complete.

Ms. Tierney stated there have been two meetings for the Macclesfield Master Plan, and there were two site visits – one on a week night and one on a Saturday, which was a full-day visit. She stated a lot of interesting information is coming out of that. She stated there have been two Steering Committee meetings. She stated all of the information about the Macclesfield Study, the Steering Committee meeting Minutes, Steering Committee slides, and Steering Committee participants is on the Play for All site as is all the information for any of the planning projects; and she is trying to keep it as up-to-date as possible. Mr. Krauss asked when last night's meeting will be up; and Ms. Tierney stated she has to wait for the vendor to get the Minutes and slides to her, and she hopes that will be in less than seven to ten days. Ms. Tierney stated we have also collected a lot of data from Leagues who are currently using the fields, neighbors, and residents. She stated we will start doing key person interviews. Ms. Tierney stated we are planning on doing two focus groups – one with youth teen/tween age and another with the School District. She stated these should be in the next month or so. Mr. Krauss asked if those focus groups are specific to the Macclesfield Study or a separate initiative not related to Macclesfield; and Ms. Tierney stated it is part of the Macclesfield Study as we are trying to determine all avenues as to how to handle issues at Macclesfield Park.

Ms. Tierney stated with regard to the Snipes Environmental Assessment Natural Lands came out on December 19, and they plan to come out again in the spring. She stated no report has been received as yet. Mr. Krauss asked if there will be one final report after the spring visit or will there be an interim report, and Ms. Tierney stated they will be providing interim data along the way. She stated once she gets data, she will share it with the Board. She stated there will be a final report. She stated she hopes to meet with them soon to get an update as to what will need to be done in the spring. Ms. Tierney stated we recognized that there was an issue with the original proposal as it only indicted one day, when we had discussed two days; and they are going to make an Addendum to the Report. She stated it was always intended to be two days, and it was an oversight which is being corrected. Mr. Krauss asked, in discussions with the experts, if spring is the right time for them to come out. He asked if we will find out later that they should have come out in late summer. Ms. Tierney stated she feels comfortable with the two visits, and Natural Lands was comfortable with that as well. Ms. Tierney noted that the whole study is in excess of what we would have to do; and it is being done based on feedback from the community that the environment was very important, and we are considering this before we consider a lay-out for the property.

Ms. Tierney stated there was a Grant submission for the path in the Five Mile Woods that was discussed previously. She stated we were asked for some extra data about our submission, and we should hear back on this soon. She stated the Board of Supervisors wanted her to evaluate whether 5' would be better than 4', and this needs to be discussed further. Ms. Tierney stated there were initial discussions with John Heilferty of the Five Mile Woods who indicated he felt it would be wasteful to do a 5' path since boards are generally 8', and they would be cut in half, and they could do a longer path. Ms. Tierney stated she is going to look at some other parks to see how wide they do their paths.

Ms. Tierney stated we are reviewing options for the completion of the bike path maintenance this year. She stated a section of bike path on Edgewood leading down to the bridge toward Veterans Square from the Township Building was identified that is crumbling more than the last time a review was done. She stated we are looking at options as to how that might be handled this year rather than a future year, and that should come before the Park Board soon.

Mr. Krauss stated there was a presentation regarding potential test bike lanes, and he asked if that went any further. Ms. Tierney stated it has not, and the individual who did the presentation is no longer with the organization so there is a transition.

Ms. Tierney stated the ADA ramps on the Oxford Valley Community Trail are almost complete. She stated there are some gaps in the path that might not get done until spring, and they are trying to make those areas safe. She stated there are meetings this week with TPD about how that will continue to progress. Mr. Brody asked if they are trying to see if there is a way to fill the gaps with rocks or something. Ms. Tierney stated they are going to try to make them safe to walk on temporarily by filling them in with stone which may be the best option, but she will have a better answer in her next report.

Ms. Tierney stated with regard to the Pool painting, every year we paint the pools. She stated she knew that we were going to have to sandblast the pools in the next few years, and sandblasting is very expensive. She stated it was brought to her attention that the Olympic pool needs immediate attention to the point where paint could be chipping during the season. She stated there were discussions with the staff and the engineer, and she feels we have come up with a solution where we can stay close to budget for the regular painting and still address the issue. Ms. Tierney stated it will be a three-year sandblasting plan, and this year we would focus on the Olympic pool which would be sandblasted and painted. She stated once you sandblast and paint, the paint should last a little bit longer. She stated we will forego painting the lap pool, the kiddie pool, and the intermediate pool this year; but we will still do the acid washing and paint touch-up. She stated in 2024, we would sandblast and paint the lap pool and the following year we would sandblast the other two pools. She stated sandblasting lasts approximately ten years, although it did last a little longer this time. She stated everyone feels comfortable with this, and they plan to put this out to Bid at the next Board of Supervisors' meeting.

Mr. Krauss asked Ms. Tierney if she feels comfortable that the pool will be able to be opened on time based on when this work will get done. Ms. Tierney stated they have Bid Alternates so decisions can be made depending on the pricing. Mr. Krauss asked if there is a Plan B if the cost for sandblasting comes in very high, and he asked if they could fix or repair the Olympic pool; and Ms. Tierney stated she does not feel there is any other option for the Olympic pool.

Ms. Tierney stated we will be working on the implementation of the Zero Waste Plan which was approved by the Board of Supervisors in December.

Ms. Tierney stated Art in the Park implementation is underway. She stated we received the Grant, and there is a meeting tomorrow with Seward Johnson Atelier to discuss the sculptures that will be available. She stated some placement sites being considered are along the bike path near Kids Kingdom, along the bike path in between the Community Center and Caiola, some sites in Memorial Park, and a site close to the Pool. Mr. Krauss asked if they are going to try to balance it across the Township. Ms. Tierney stated we are focusing on two areas this year – the Township Complex area and Memorial Park; and then next year we would move to other locations in the Township. Mr. Krauss asked if she would be coming back to the Board with a recommendation. Ms. Tierney stated we do not have time to bring it to the next Board meeting, but she will share information with the Board as they proceed. She stated the theme is Play For All, and after looking through their book, they picked what they felt represented play. She stated there is one sculpture that Artists of Yardley particularly wanted at their site, and they are donating toward that sculpture. Ms. Tierney stated they were advised which sculptures were available.

Ms. Tierney stated we have three newly-trained, newly-certified playground inspectors. She stated it is a very intense course that the staff had to take and a very difficult test that they had to take. She stated the playground inspectors on our staff can help check the safety and security, and they are required to insure that the inspections are more thorough.

Mr. Blundi stated with regard to the width of the path at the Five Mile Woods, boards come in longer widths than 8'. Ms. Tierney stated she can look into this further. She stated at this point we do not know if we have the Grant. She stated they are trying to make a path accessible for a wheelchair and not a wide boardwalk, and they want to make sure that it is reasonable, and there is a connection with the environment. Mr. Blundi stated initially it was 4' with rails on the side which are at the ground level, and it was not determined how thick those rails were and how much of the space they would take up. Ms. Tierney stated they would be outside of the decking so it would not take away from the space. She stated 4' wide has been proposed with the rails outside of the 4'. Mr. Blundi stated he does not feel that it is wide enough and it is not usable for people passing one another or walking side by side. He stated he wants it be a walkable, usable space.

Mr. Krauss asked how long the path was supposed to be, and Ms. Tierney stated it was to be 600' long. She stated she could reach out to Silver Lake Nature Center which has a great boardwalk system throughout their park, and she can see how wide their boardwalk is. She stated there is more research that can be done. Ms. Tierney stated she can also put the question out to NRPA, the National Recreation Park Association, to see best practices and the width of boardwalks in other parks.

OTHER BUSINESS

Mr. Brody thanked Mr. McCartney for being their Supervisor Liaison for the last few years, and he welcomed Dr. Weiss as the new Supervisor Liaison.

There being no further business, Mr. Brody moved, Mr. Blundi seconded and it was unanimously carried to adjourn the meeting at 9:25 p.m.

Respectfully Submitted,

Kim Rock, Secretary