

TOWNSHIP OF LOWER MAKEFIELD
PLANNING COMMISSION
MINUTES – JANUARY 25, 2021

The regular meeting of the Planning Commission of the Township of Lower Makefield was held remotely on January 25, 2021. Mr. Bush called the meeting to order at 7:41 p.m.

Those present:

Planning Commission: Tony Bush, Chair
 Ross Bruch, Vice Chair
 Adrian Costello, Secretary
 Tejinder Gill, Member
 Dawn Stern, Member

Others: James Majewski, Director Planning & Zoning
 Barbara Kirk, Township Solicitor
 Andrew Pockl, Township Engineer
 Daniel Grenier, Supervisor Liaison

REORGANIZATION OF PLANNING COMMISSION FOR 2021

The meeting was turned over to Ms. Kirk who asked for nominations for Chair of the Planning Commission of 2021. Mr. Costello stated that they did this a few months ago once they had a full Board, and he ask that they continue with the same results from the vote taken last fall.

Mr. Costello moved, Mr. Bruch seconded and it was unanimously carried to maintain the current officers of Mr. Bush as Chair, Mr. Bruch as Vice Chair, and Mr. Costello as Secretary for 2021.

The meeting was turned over to Mr. Bush.

APPROVAL OF MINUTES

Mr. Costello moved, Ms. Stern seconded and it was unanimously carried to approve the Minutes of December 14, 2020 as written.

TABLING 2020 PLANNING COMMISSION ANNUAL REPORT

Mr. Majewski asked if the Board has any questions or comments about this Report; and if not, they can vote to accept the Report as submitted.

Ms. Stern stated she did not have an opportunity to review the Report, and she asked if they could Table this to the next meeting; and Mr. Majewski agreed.

Ms. Stern moved, Mr. Bush seconded and it was unanimously carried to Table the Report.

#670 – DISCUSSION AND APPROVAL OF PRICKETT PRESERVE AT EDGEWOOD CONDITIONAL USES AND PRELIMINARY/FINAL SUBDIVISION AND LAND DEVELOPMENT PLAN

Mr. Bush stated a member of the community had insinuated that he or the law firm that he works for had profited financially from this project or have a conflict, and neither one of those two things are true. Mr. Bush stated he is a member of a law firm of 370 lawyers, and neither he nor his firm have ever represented the developer who is the Applicant. Neither he nor his firm have been compensated in any way by this developer nor do they expect to. Mr. Bush stated he does not practice law in Pennsylvania, and he has never represented any of the publicly-identified businesses that might occupy space in this property. He stated one of his partners has represented Wegmans in New Jersey in personal injury litigation, but he personally never had a role in that litigation or benefitted financially from this project. Mr. Bush stated he has checked with multiple conflict attorneys to see if this was an issue, and he has been assured that it is not. Mr. Bush stated he wanted to address this because of what he had heard had been directed about him in the community, but not necessarily to his face.

Mr. Steve Harris, attorney, stated he represents the developers of Prickett Preserve. He stated two of the developers, Mr. Vince DeLuca and Mr. Bob Dwyer, are present this evening. He stated also present are Mr. Seth Shapiro and his team who will begin the presentation. He stated the engineering team from Boehler Engineering, led by Mr. Bill Reardon, along with Mr. Jason Korczak and Mr. Travis North, are also present. Also present is the traffic engineer, Mr. Chris Williams from McMahan as well as planner, Mr. John Kennedy.

Mr. Harris stated for most part the issues are technical and are “will comply.” The hope is that at the completion of the presentation and questions from the Planning Commission, there will be Public Comment, and that the Planning Commission will then make a recommendation of approval for the Conditional Use and Land Development. Mr. Harris stated Mr. Shapiro will be showing some visual revisions that have been made as to how the landscaping, etc. will be laid out.

Mr. Seth Shapiro, Principal and Director of Planning and Urban Design with Barton Partners, was present. He stated also with him is his partner, Matt Koenig, the Architectural Principal in charge of the buildings, and Lauren Moran, a landscape architect from Barton Partners. He stated they have been collaborating with Travis North from Bohler Engineering.

Mr. Shapiro showed the cover page of a presentation for Prickett Preserve with today’s date. He stated a lot of the information that was provided in this presentation is repeated information from their previous presentation, although they will go into more detail on the landscaping since what sets this project apart is the landscaping and the public realm space in between the buildings.

Mr. Shapiro showed pictures of the existing house and barn which will remain in place and be adaptively reused. He showed some examples of architecture in the area. He stated when they began to design the project, they focused on framing everything around the central civic space that would have the two existing buildings; and that is what makes this project very different from a typical Retail center. He noted the Retail buildings around the perimeter and the Wegmans in the rear of the site closer to 295. Mr. Shapiro noted the Residential piece on the other side of the main entry drive.

Mr. Shapiro showed the Plan that was presented to the Planning Commission when they were before them previously, and that Plan was a little different than the Plan he just discussed. He stated since then there have been various sketches, and he showed the latest Preliminary Plan submitted. He showed the main entry off of Stony Hill Road, the right-in, right-out drive a little further to the west, and then all the way to the left a right-in, left-in, right-out drive; and while that one is more of a service drive, it is also a vehicular drive as well. Mr. Shapiro stated in previous Plans there was another entrance, but that was removed.

Mr. Shapiro stated the Plan is very pedestrian-oriented. He stated vehicular access to Retail/Residential is important, but the link between the two and the link in between the various elements inside the project are critical as to how they react to the central open space. Mr. Shapiro showed the link along Stony Hill Road where there will be a wide path that crosses Stony Hill and heads over to the other side of 295.

Mr. Shapiro showed an updated rendering of the Plan with the Wegmans, house, and the barn shown. He noted the shared space which can be parking with bollards so that it is an area that can be closed off and be strictly pedestrians for certain occasions. He stated they are showing open lawn, but also maintaining a lot of the existing landscaping. He noted the use of special paving. He showed a view of the informal stage and seating area that is part of the landscaping proposal. Mr. Shapiro stated they want to focus tonight on the central village open space which is an area where people could be dropped off and picked up as well as a great Uber/Lyft pick-up location. A slide of this central area was shown.

Mr. Shapiro stated there had been prior comments about the scale of the Wegmans so they have modeled it accurately, and he showed that slide. Mr. Shapiro stated Mr. North and Ms. Moran will discuss their vision for the gathering/open/civic spaces in between the buildings.

Mr. North stated he is the landscape architect with Boehler Engineering adding he worked with Ms. Moran from Barton who was involved in the overall development of this space. Mr. North stated the last time they were before the Planning Commission, they saw the space in concept form only, and they have now fully integrated it into the Land Development package so that it can be seen how it fits in with the infrastructure, storm-water management, etc.

Mr. North stated their vision for the entire space is to be flexible as they can in the middle of this town center, Multi-Use development. He stated they recognize that there will be different times of the year when the multi-purpose parking area between the Retail and the existing barn could be closed off temporarily to set up for festivals and other activities; and the space has been developed into a few key areas. He stated at Plan North, they are looking at a more passive area. He noted the transitions between the Wegmans, the Retail spaces, and the existing house and barn. He noted the proposed enclosed firepit which would be either gas or propane.

He stated the design will continue to evolve so that everything is complimentary with the architecture, and they are looking for feedback from the Township. He stated there would also be some moveable seating in this space such as Adirondack chairs or café-style tables. He stated there are spaces on both sides of the transition pathways. He stated the area could serve as smaller gathering areas or other passive recreation.

Mr. North showed a slide of an area closer to the road which is Plan South. He showed the location of what they believe may have been the original driveway. He stated it is actually open lawn right now. Mr. North stated since the last time the Planning Commission saw this, they pulled the bike path that is running along the road into the site a little bit which provides more buffering and more comfort from the road. He noted the trees in the area adding they are looking into another gathering area with seating near the path. He stated they would use natural fieldstone, slate, or some other material. He stated there are also paths in this space that connect it to other areas of the site. He stated the bike path will connect to the Residential area and other parts of the Township. He stated paths also connect to the existing house and other Retail space in the overall development. Mr. North reiterated that these are just suggestions, and they will continue to work on evolving the design. He stated they are looking at sustainable paving features such as unit pavers as shown on the slide or colored textured concrete. Mr. North noted that around the stage area there is a block of green between the stage and the other paved areas, and they are envisioning that as a synthetic turf area which could be used for outdoor exercise or gathering spaces for concerts or other musical presentations. This would provide a soft space for children in front of the stage. Mr. North stated it is an informal stage which can be used as a center point for celebrations. He stated the lawn space can be used for other passive or active recreation. He showed a picture of a sail-type canopy which they are envisioning. He stated these are shade structures which can be adapted over time.

Mr. North stated throughout the development, they are celebrating the historical aspects of the property and complementing it. He stated they are envisioning a mix of different walls, some of which will be fieldstone to complement the barn and house that will continue to exist; but there are other areas where they will be looking for something more modern. He stated there are multiple walls proposed to be used as seat walls and retaining walls. He stated they are looking to mix materials.

Mr. North showed a slide of the pedestrian pathway/rest area shown earlier looking down through an array of existing trees. The fieldstone goes down along that group of trees.

A slide of Plan East was shown at the pedestrian path entering the site. He stated this is a space they see being used for picnics, Frisbee, or an area to sit. He stated to the right you can see the existing barn which is partially obscured by an existing tulip poplar which is the largest, most significant tree on site.

Mr. Shapiro showed a slide of the buildings which had been seen previously, and nothing has changed from what was seen previously.

A slide was shown of the Wegmans and they have shown all of the various elevations.

Mr. Shapiro stated they have started to consider the signage, and a slide was shown of the sign proposed for the main entry. Ms. Moran stated they have used similar materials to the existing buildings on site; however, they will give it more of a modern feel with a slightly more modern light fixture on each of the piers, and the name of the overall development in the center. A slide of the entry monument they are proposing would be positioned along Stony Hill Road which would give some visual appearance for the signage element of the Retail buildings such as Wegmans, a possible bank, a pharmacy, a steak house, and an ice cream shop. She stated it does not refer to the Residential section which will have its own sign.

Ms. Moran stated internally there is a round-about at the main entry and they also propose another visual for the Retail buildings and for Wegmans and providing areas for the other Retail uses that will be on site.

Mr. Shapiro showed a slide of a similar Residential development in Chalfont, and in these modern, multi-family communities, they pay particular attention to the open space. He stated there will definitely be an outdoor area with a pool. He showed a slide of the proposed signage for the Residential community called Madison at Prickett Preserve. He noted the building behind the sign is a pump station that was an engineering requirement of the Plan, and they are considering the materials for that structure as well.

Mr. Shapiro stated the Residential community will be highly-amenitized with a Club House to include a fitness center and activity rooms. He stated there could be a great room, and sometimes they have little pubs for the residents. He showed a slide of the what the interior of the apartments could look like. He showed a slide of the elevation of the buildings which will complement the rest of the architecture. Mr. Shapiro stated while there is a formal central amenity space with a fields and a pool, there are also a lot of other open space areas in the Residential community that have yet to be fully designed. He stated there could be bocce courts, grilling stations, and other passive and active recreation areas. He stated they wanted to keep them a little open of vegetation so that the space can be enjoyed. He stated the proximity and linkages of the Residential community to the Commercial area are what sets this project apart because they are fully linked. He stated there are many communities where there is Residential on one side with Commercial across the street, but people would not walk from one to the other, and that is what makes this Plan different.

Mr. Costello noted the circular grass area around the stage/canopied area, and asked if it was indicated that it would be synthetic turf; and Ms. Moran stated it can be, although it could also be hardscape. She stated there is a lot of grass that is being provided on the other side of the stage. Mr. Costello asked if it is impractical to plant grass in that area which is why they are considering a different surface. Mr. Shapiro stated he felt that if there was to be an activity with chairs set up, synthetic turf would provide a softer surface. He noted that if there were heavy use, it could break up more conventional turf. Mr. Costello stated they are proposing that if it was not synthetic turf, it would be some kind of hardscaping; and Ms. Moran agreed, and they could continue one of the pavement patterns seen north of this area.

Ms. Stern asked the size of that area. Mr. North stated it is about 10' to 15' deep. Mr. Shapiro stated they could put three to four rows of chairs in a circular pattern around the stage.

Ms. Stern noted the slide shown of the Retail side, and she asked if there is an entranceway that leads right into that. Mr. Shapiro stated there is a main entry off of Stony Hill Road, and if you live in the Residential you go one way; and if you are going to the Retail, you come around the round-about and into the Retail center. He stated there is also a right-in to the Retail center at a location he showed on the Plan and another at another location he showed on the Plan.

Mr. Gill asked about the existing structures, and he asked if any modifications will be made to the exterior of those structures. Mr. Shapiro stated he does not believe much will be done to the existing house, and it will be tenant-dependent. They feel it could be an ice cream shop or some other low-key use. Mr. Shapiro stated with regard to the barn, they are proposing an addition to the barn, and this was shown on the Plan. He stated there will be an outdoor deck/seating area as well since the barn will be a signature restaurant.

Mr. Gill asked if there will be car traffic allowed between this project and the corporate complex next to the development or will it just be walking traffic allowed to enter. Mr. Shapiro stated they are proposing a vehicular entry there along with a pedestrian entry so that the workers at those offices can walk to the Retail center and not have to drive to do so; but they are also proposing a vehicular link as well. Mr. Bush asked the status of this as he knows from a prior meeting that there was discussion with the neighboring landowner, and he asked if those discussions have progressed. Mr. DeLuca stated they have continued to have dialogue with that property owner, and they have agreed to the pedestrian connection, and they are considering a vehicular connection although they wanted to see how their parking lot situation goes once there is more occupancy of their buildings post-COVID. He stated they have been receptive, but have not formally committed to allow that yet.

Mr. Grenier stated it seems that there is a lot of discussion about various types of hardscape/impervious area which leads to intense stormwater management requirements. He asked if any of the surfaces will be pervious or will they all be impervious. Mr. North stated from a stormwater management perspective, they are required to treat them all as impervious. He stated the synthetic turf that was discussed previously can technically be considered pervious and any one of the paver areas could also be contemplated as such; however, their stormwater management system assumes that everything is impervious and that has been addressed in their stormwater management system. Mr. Grenier stated it seems that at their Chalfont development there was a rather large rain garden, and he asked if they have contemplated any of those for the development in Lower Makefield. He stated he reviewed the Site Plan, and it seemed that all of the stormwater management was subterranean versus anything above ground.

Mr. Bill Reardon stated there are a series of rain gardens designed into the site lay-out. He stated the original Plan submitted had four with two large rain gardens at each corner of the neighborhood open space along Stony Hill Road. He stated in the Revised submission, they have incorporated eight additional rain gardens so there are twelve placed throughout the Commercial portion. He stated there is also a large existing basin that is at the corner of Stony Hill that they are enlarging as part of their stormwater design. He stated the balance of the stormwater is through an underground system. Mr. Reardon stated there is a separate Exhibit that highlights some of those locations.

Mr. Grenier stated it seems that the roadway is flush with the hardscape that goes into the public space, and one of the difficulties there is that whole area is hardscape so it is one large impervious area that is directly connected. He asked if they considered breaking that up and using more green space and planting more trees in that area. Mr. Reardon stated they did not in that area because their primary design focus for that area was to facilitate a space that could be multi-purpose. He stated an area that is flush and directly connected to the adjacent sidewalks, the buildings, and the open space allows for free flow of pedestrians throughout that space. He stated there is the parking lot area where you could program an event in that area and it can be closed off. They have the ability for events in that space and they did not want curb obstructions creating a potential tripping hazard or obstruction to free-flow pedestrian traffic in that area.

Mr. Grenier asked if they considered doing a ring of trees of some type in the open park space south of the tulip poplar. He stated the Township has a lot of open spaces such as those at Memorial Park where there is limited shade. He stated he is in favor of the shade sails that were shown in the presentation, but he is concerned that the grassy area shown may be underutilized because of the lack of shade. Mr. North stated it is not as large an area as it might appear. He stated the image hides a portion of the tulip poplar which has a substantial canopy. He stated while they could fill in the area with trees, that would eliminate a lot of uses which the area could be used for. They feel that what they have proposed is a nice balance because half of the path does have an existing array of evergreen trees which will provide shade year round so there is a nice balance between open and shaded areas.

Mr. Reardon stated he does not feel the image being shown does the existing trees justice, and there is actually a lot more shaded area than the image would indicate. Mr. Grenier suggested that they address this in more detail when they come before the Board of Supervisors

Mr. Bush stated when they were previously before the Planning Commission it was indicated that the open spaces would not have to be maintained by the Township, and it would be the tenants of the property that would be maintaining it. He stated tonight there was discussion that there could be events taking place at the stage, and he asked who would be putting those events on. Mr. DeLuca stated the space has been created for community purposes and the Retail center could run those or the Township may want to hold events there. He stated whatever events take place there they would comply with Township regulations and Ordinances. He stated this community space was discussed very early on in their proposal, and they agreed from the onset to work with the Township if there were events that they would like to hold. He stated he feels the Retail development could plan on small musical events, exercise events, etc.

Mr. Pockl asked where the signs will be located. Mr. Shapiro stated there will be one entry sign on each side of the main entry. He showed on the Plan the location of the Residential sign which will state Madison at Prickett Preserve, and he showed the location of the main Prickett Preserve sign. Mr. Shapiro noted the location of the third sign on Stony Hill Road. Ms. Moran stated it would be at the corner before the rain garden. Mr. Shapiro stated there will also be a sign in the middle of the round-about, and he showed the location of that sign.

Mr. Harris stated Mr. Bill Reardon is the engineer in charge of this project from Boehler Engineering, and will review the engineering comments that had been received on the Revised Plans.

Mr. Reardon stated a number of review letters were received for the Plans they submitted in December. He stated those Plans were revised to address the initial set of comments issued by the Township consultants last year as well as some of the comments and feedback received from the Planning Commission at the meeting in November. Mr. Reardon stated the modifications they submitted addressed the vast majority of the detailed technical comments that were issued. He stated there are still a few threshold issues that need to be addressed as part of any recommendation, future modification, or condition.

Mr. Reardon noted the Conditional Uses that are required for the Plan which are related to the drive-through at the pharmacy and the drive-through located to the rear of the bank. Mr. Reardon stated in each case, the Plans clearly depict the drive-through lanes, the required amount of stacking, and the fact that those areas are separated from any type of pedestrian circulation. He stated they feel that the Plans as submitted show that they have provided sufficient detail for those Conditional Use decisions to be acted on.

Mr. Reardon stated there are also five Waivers being requested, and those are the same five Waivers that he had reviewed in detail with the Planning Commission at the last meeting. He stated the first one relates to parking lot lights being required to be located within landscaped islands. Mr. Reardon stated since the last Plan, they have reduced the number of poles needing the Waiver from five to four. He stated the four poles that remain are located within the Wegmans' parking lot. He stated the fifth one was in the Residential portion of the development, and that has now been placed in a landscaped island.

Mr. Reardon stated the second Waiver is related to the height of the light poles located within the Wegmans parking lot. He stated they are looking for a height of 25' as opposed to 20' so that they can provide fewer poles with a much more even distribution of light throughout the parking field.

Mr. Reardon stated the third Waiver relates to the separation of parking from the building located within the Commercial portion of the development. He stated the Code requires a minimum of 20', and they have areas of 8', 10', and 15'. He stated they have not received any further comments from the Township Fire Department with any emergency concerns about those parking spaces located directly adjacent to the buildings.

Mr. Reardon stated they have requested a Waiver for tree replacement, and this is a threshold issue that they will need to discuss in more detail.

Mr. Reardon stated the final Waiver relates to topsoil protection which is a Waiver for removal of topsoil that will not be replaced on site.

Mr. Reardon stated there were two letters received from Remington Vernick, one specific to the details of the Plan and the other to the EIA Report. He stated review letters were also received from SAFE Highway Engineering regarding the traffic improvements, the Lower Makefield Township Police Department with some specific traffic comments, two from Bucks County

Planning Commission, and one from the LMT EAC. Mr. Reardon stated with regard to the RVE letters, the SAFE letter, and the Police Department letter the vast majority of the comments have been addressed. He stated there are some issues that remain, but they have had detailed discussions with Mr. Pockl; and he feels that they will be able to address any of the comments that remain so their response would essentially be that they will comply.

Mr. Reardon stated with regard to the traffic improvements, Mr. Williams could get into specific details if necessary. Mr. Reardon stated it is his understanding that the detailed plans for the road improvements both across the frontage as well as off-site have recently been submitted to PennDOT for their review of the Highway Occupancy Permit; and it is his position that the comments, if they are not already addressed by the Plans, that Mr. Williams and his team will continue to work with PennDOT and the Township to insure that those comments are satisfactorily addressed.

Mr. Bush stated it was indicated that everything in the SAFE Highway letter was a will comply, but there are a number of issues the Planning Commission may want to discuss. Mr. Reardon stated Mr. Williams from McMahon is available to discuss traffic.

Mr. Reardon stated the last letters are from the Bucks County Planning Commission and the EAC, and he feels a lot of the comments that remain in those letters are complementary of each other. He stated there are three major issues he would like to discuss and to consider potential compromises. He stated with regard to the number of trees being removed from the property, they continue to request a Waiver from the tree replacement requirement. He stated they are removing 353 trees that require replacement, and they will re-plant 819 trees. He stated based on Ordinance requirements, they would be required to plant over 1,600 trees so there is a deficiency of 848 trees. He stated they are re-planting almost two and a half times the number of trees that they are removing from the property. He stated in addition to all of those trees that they will be planting, he believes they are proposing to plant close to 4,000 shrubs throughout the development. He stated there is a significant landscaping package associated with this design above and beyond all of the other enhancements that have already been discussed. He stated they feel that while they do not meet the direct letter of the law from the tree replacement standpoint, they feel that the proposal in its totality speaks to the intent of the Ordinance. He stated while they are doing their best to comply, they are still seeking a recommendation for the Wavier.

Mr. Reardon stated the second issue that still remains is with regard to the number of parking spaces they are proposing throughout the development. He stated they have worked very closely with Mr. Dwyer and his team with regard to the Residential parking and Mr. DeLuca and his team for the Commercial as well as directly with Wegmans to insure that the parking lay-out that they are showing as well as the number of spaces meets the operational needs for the development.

Mr. Reardon stated with regard to the Residential, the Code requires a minimum of 1.5 spaces per unit. He stated they have a total of 352 parking spaces which exceeds the 1.5 requirements, and they are actually closer to 1.8. He stated there is a need for additional overflow spaces for visitors. He stated the other aspect to consider is that there are four buildings that back up to 295, and those buildings have garages. He stated within the 352 space count, 64 of them are the driveway space and the garage itself of those units with garages. He stated those spaces are therefore specific to an individual unit and not able to be utilized by the balance of the development. He stated if you were to remove those from the equation, the number of surface spaces left is 1.4 so they are below the 1.5 although in totality they are greater. He stated they feel what they have provided is a good balance recognizing that they are meeting the minimum requirements of the Ordinance as well as proper usability and functionality moving forward.

Mr. Reardon stated on the Commercial side, the main driver is the number of parking spaces they need for Wegmans. He stated the Wegmans field has 576 spaces, and for Wegmans for this type of a store which is 100,000 square feet, their operational minimum is 575 spaces. He stated they would prefer closer to 600. Mr. Reardon stated from a use standpoint for Wegmans based on specific information directly from Wegmans, they have a much higher employee count than most grocery stores. He stated that those 575 parking spaces account for 100 to 150 parking spaces that could be utilized by employees within that building. He stated Wegmans generally employs three to four times more employees than other supermarkets. He stated in addition, they pull from a much larger radius so the demand for parking is different from a local grocery store.

He stated that is what is driving the parking space number up. He stated when you take the 575 spaces out, you are then looking at a slightly reduced number of parking spaces for the balance of the Commercial. He stated they want to insure that they are providing enough spaces for the tenants that will be occupying the buildings that remain. He stated there are also spaces next

to the neighborhood open space between the barn and Building #4, and the idea is that those spaces could potentially be taken out of service at some point in time; and there are approximately 35 to 40 spaces in that parking field. He stated they want to insure that when those spaces are taken out, there will still be a sufficient number of parking spaces in the balance of the Commercial area to support the uses that are there. They feel that the lay-out and number of parking spaces proposed are appropriate based off of the specific users they have and the users that still remain to be identified.

Mr. Reardon stated they are looking at potentially taking the overage in the number of spaces that they have and converting any of those that are above and beyond the Code requirement into a pervious pavement material. He stated they have already incorporated some of that into this Plan, but they would add some additional spaces to help address some of the EAC's stormwater concerns and to also reduce the impact of the additional spaces provided in the Plan.

Mr. Reardon showed a slide of a more-engineered version of the site which shows the various stormwater features. He stated the site is not a floodplain and does not have any wetlands. It has the existing house and barn and existing woodlands, and they went to great lengths to make sure that they were preserving at least 50% of the woodlands on site and that includes the row of trees along Stony Hill Road as you come over 295. He stated they were also purposeful on the alignment of the center aisle to insure that the trees can be utilized as a buffer between the parking field for Wegmans and the adjacent apartment units. Mr. Reardon stated they also preserved as much of the woodlands as they could around the perimeter of the property, and they have incorporated retaining walls in a lot of those areas to insure that the disturbance is minimal. He stated all of the areas shown in green on the slide are existing trees that will be preserved and the proposed landscaping; and these will work in concert to add to the stormwater management system. He stated while they are not taking credit for that, they are a main component of the system.

Mr. Reardon noted on the slide the larger underground areas which are chamber systems that are below the parking lot which collect, detain, and infiltrate run-off into the underlying soils. He stated there are a number of rain gardens that they have identified; and in the Wegmans parking lot there

are approximately seven to eight, as well as one behind the pharmacy, two along Stony Hill Road, and one in the parking lot behind the bank which will address water quality as well as provide some volume control through the vegetation that is planted and through evapotranspiration. He stated the majority of the run-off will find its way to the corner of Stony Hill and Township Line Roads where there is an existing basin which they will expand so that they can manage the increase in run-off from the Residential as well as what is not already managed within the underground basins on the Commercial side.

Mr. Reardon stated the red circles shown on the Plan throughout the entire site are the inlets, and those inlets are fit with water quality structures that help filter out any type of pollutants coming from the parking areas. Mr. Reardon noted areas on the Plan shown in orange which are pervious pavement, and they are looking to add some additional locations to help address the additional parking provided on the site.

Mr. Reardon stated they therefore have a whole series of Best Management Practices (BMPs) to make sure that they are collecting, detaining, treating, and infiltrating the run-off from the property to meet Township requirements for rate and volume and DEP and County requirements for water quality. He stated the Plan has received approval from the Bucks County Conversation District, and they have been issued an NPDES Permit which means that they are satisfied that the approach taken meets the BMP Manual requirements.

Mr. Pockl stated as Mr. Reardon noted, they did receive their NPDES Permit for the on-site development. He stated this means that DEP looked at the development and compared it to their regulations and reviewed and approved it based upon the fact that the proposed improvements meet the DEP requirements. Mr. Pockl stated as part of the development there are off-site road improvements on Route 332 and none of that has been incorporated into this NPDES Permit, and that is part of the PennDOT Highway Occupancy Permit Plan; and that will have its own separate NPDES Permit. Mr. Reardon stated that is true for the off-site improvements. He added that anything directly adjacent to the frontage shown on Stony Hill Road including the widening for the signalization is factored into the NPDES Permit that was approved. He stated those additional lanes and additional impervious coverage have already been factored into the stormwater calculations that are presented with the Plan.

Mr. Pockl stated they have taken a conservative approach toward addressing the Township stormwater management requirements. He stated they are not taking credit for the infiltration into any of the eight rain gardens that they added. He stated they did not do infiltration testing for those rain gardens. He stated those rain gardens would be an extra benefit if they prove to be infiltrating post-construction. Mr. Pockl stated the infiltration rates that they did get had a factor of safety of three; and this means that they got an infiltration rate of 3" per hour although they are only using in their calculations an infiltration rate of 1" per hour. He stated they are therefore taking credit for less. He stated the Township regulations allow you to include a factor of safety of two to one, and they have gone above and beyond that.

Mr. Pockl stated from a stormwater management rate control perspective, they are required to meet the pre-development rate of run-off, and they also have to consider that 20% of the impervious area on the site as it exists pre-development has to be considered as meadow so that would further reduce the requirement as far as the rate of run-off. He stated they are meeting those requirements and actually exceeding them rather significantly. He stated in the two-year storm, they are over 50% less than the required rate. For the ten-year storm, they are approximately 27% of the required rate of run-off. For the fifty-year storm, they are 25% of the required rate of run-off, and for the one hundred-year storm, they are approximately 19% so this is a significant reduction in the rate of run-off from the development.

Mr. Grenier asked if the existing basin is wet or dry, and Mr. Reardon stated it is dry although at times it holds a little bit of water in the bottom. He stated it primarily infiltrates. Mr. Grenier asked if they intend to keep it dry, and Mr. Reardon stated they do. Mr. Reardon stated they are over-excavating the bottom and pushing the bottom area closer to the old bed of Stony Hill Road, and they will then supplement that with plant material and vegetation. He stated it will pond in a two-year storm 12" to 14", but in less than two days, it will de-water; and it is envisioned to be a dry infiltration facility. Mr. Reardon stated they will plant trees around the perimeter, and within the bed itself it will be a special plant mix suited for that type of environment. Mr. Grenier stated we have a basin naturalization program in the Township where they use seed mix where possible so that they will not have to mow. He asked if that is something they would envision here as well, and Mr. Reardon agreed.

Mr. Grenier asked if the Township will have to take control or liability over any of the stormwater features; and Mr. Reardon stated they will not, and the owner/operator is designated for long-term operations and maintenance. Mr. Reardon stated the system has been analyzed for the one-hundred year storm, and there is no flooding within the property.

Mr. Grenier asked if the review for the NPDES was by the County and not DEP; and Mr. Reardon agreed it was the General NPDES, and Bucks County Conservation District has authority to issue on DEP's behalf.

Mr. Grenier stated he understands that they are not taking credit for the rain gardens, and Mr. Reardon agreed that they are not taking credit for infiltration for that. Mr. Grenier stated it seems that the infiltration rates are good for the other locations, and Mr. Reardon agreed.

Mr. Grenier stated with regard to the tree replacement, he feels it will be difficult to address that issue with a Waiver. He stated the Board has revised the Tree Ordinance to be more "efficient and smarter" so that when you are planting landscape trees you do get credit for those to minimize the potential for Waivers. He stated they have indicated that they are putting back two to three times the number of trees; however, the trees that will be taken out are large trees so it is not an apples-to-apples comparison. Mr. Grenier stated he would encourage the developer to look at alternative mitigation strategies where they might be able to plant more trees or other ideas they may be able to come up with to address the number of trees that need to be replaced per the Ordinance in preparation in coming before the Board of Supervisors.

Mr. Bush stated at a prior meeting the Planning Commission did discuss the requested Waiver from the Tree Ordinance at length, and the consensus of the Planning Commission was that they would not be in favor of that Waiver; and they requested that either more trees be planted or that there be a contribution made to the tree bank to offset the loss of the trees. Mr. Grenier stated those are the two typical methods, and another method would be to look at alternative locations that the developer or the Township would identify for additional tree planting that may be in close proximity to the development.

Mr. Pockl noted Comment #10 of his review letter concerns the off-street loading bays for the development; and it was his interpretation that any building over 6,000 square feet of gross floor area would require a loading area. He stated the language in the Ordinance is general, and he believes that the Applicant's interpretation was that they took the entire gross floor

area for the Retail section. Mr. Pockl asked that they describe where the loading berths are. Mr. Pockl noted Buildings #2, #4, #6, and #7 which are over 6,000 square feet, and he asked them to describe their proposed use and what kind of loading would be done in those areas. Mr. Reardon stated they were focusing mostly on the loading berths that are located behind Wegmans. He stated there is also a loading area behind Building #7. He stated they were addressing a literal interpretation of the Ordinance.

Mr. Reardon stated there is the practical approach as to how you apply that to the buildings and how they function. He showed the location of the loading door for the pharmacy so that satisfies the requirement for Building #7. He stated for Building #2 they show a striped area adjacent to the rear of the building that would be able to be utilized for loading recognizing that this area does not meet the minimum area requirement. He stated they could modify the curb line to give a little bit more room for loading at Building #2. He stated the challenge that remains for Buildings #4 and #6 is they are trying to provide as much proximate parking to those buildings as they will likely be multi-tenant buildings, and they do not know exactly where the doors are or the loading bays may be. He stated as noted earlier, they do have extra parking spaces, and this is part of the reason why they have extra spaces allocated to the property. He stated they do not have the specific users identified yet or where their loading bays/doors will be. He stated they wanted to make sure that they were preserving hardscape areas that could be converted into some kind of loading zones. He noted some areas where they could potentially sign the parking spaces such that when there is not loading, they could be used as a parking space; but that during loading periods, they would not be available for parking. He stated they could also take them out of operation and convert them into a striped area so that three to four parking spaces in a row could be striped and utilized as loading. He stated these buildings are much smaller than the Wegmans so that they will most likely be serviced by UPS, FedEx and smaller box trucks which can take advantage of smaller loading spaces.

Mr. Pockl asked about loading in hours when the Retail stores are not open, and Mr. Reardon stated they could convert spaces entirely to loading areas.

Mr. Pockl stated he read that to the top of the spire of the clock tower on the Wegmans it will be 84'9". He stated the Wegmans pad is on some fill, and he feels it will be 15' above the elevation of the intersection at the entrance. He asked if this was taken into account in the renderings; and Mr. Reardon stated they are artistic renderings, and they tried to portray it as accurately as they could, but he does not believe they were modeled to the specific

elevations. He stated looking at the relative nature of the adjacent buildings and the cell tower behind, there was an attempt to try to make it as realistic as possible.

Mr. Pockl stated he believes that he saw on the re-submitted Plans, spaces reserved for electric vehicle charging stations; and Mr. Reardon showed them on the Exhibit. He added there are fourteen spaces which they have spread out throughout the entire development.

Mr. Pockl stated there is some heavy-duty pavement around the driveway and the back loading area for the Wegmans which makes sense since there will be large tractor-trailers loading and unloading. He stated the pavement cross-section for the main drive aisle was significantly less than what was allotted for the stretch at Wegmans, and is even less than what is on a Residential street. Mr. Pockl stated that while the Township is not going to be responsible for maintenance, it might be beneficial for the developer to consider a more robust pavement cross-section for the main drive aisle. Mr. Reardon stated they looked at that, and they concur; and they will modify that area and extend the heavy-duty pavement down to the two main accessways to the rear and to the front of Wegmans. He stated the area behind the Wegmans is concrete at a location he noted on the Plan with the balance being asphalt. It was noted that this is Comment #57 in the Remington Vernick review letter.

Mr. Pockl noted Comment #63 about the one trash reception area shown on the Plan for the proposed apartments. It stated it appears that it is about 1,000' from the furthest apartment to the trash reception area. He asked if they are providing any more trash reception areas, and Mr. Reardon stated that they are not. He added this development is modeled directly after the Madison at New Britain. He stated they have a very similar setup where in the eastern corner of that property they have a maintenance building, a compactor for recyclables, and a trash receptacle; and that development has 232 units using that one trash location very effectively.

Mr. Pockl stated all of the remaining comments in his review letter are technical, and he feels the developer will comply. Mr. Pockl stated he understands that they have submitted the HOP Application, but he has not seen that yet. He stated there could be further comments that the HOP Application will reveal.

Mr. Bush noted Mr. Pockl's comment #39 which pertained to the proposed walkway to Edgewood Village going across 295. Mr. Pockl stated there is an 8' wide path coming up Stony Hill Road going across 295 and once it "jumps onto the curb" on the other side of 295, it becomes a 5' wide path. He stated in discussions with the developer, he believes that they are going to comply with the Township standard of an 8' wide path on the other side of 295.

Mr. Bush asked what separates the path from the roadway on the bridge over 295 between the path and the travel lane. Mr. Chris Williams, traffic engineer for the developer, stated that is yet to be determined. He stated they have presented the concept for the multi-use trail along Stony Hill Road over 295 at several meetings. He stated they are showing an 8' path along Stony Hill Road over 295, and the Sketch that was included in the presentation included delineators with a 1' wide buffer between the path and the adjacent travel lane; however, in their early discussions with both the Township and PennDOT, there was discussion whether that was the correct buffer treatment. He stated they are in discussion with PennDOT with their Bridge Unit because there are things that need to be taken into consideration with regard to the barrier treatment and how it relates to the bridge structure. He stated as they move through the HOP process with PennDOT they will have an answer on that, and the Township will continue to be copied on that.

Mr. Bush asked what the 1' buffer would be made of, and Mr. Williams stated they do not know that at this time. He stated initially they were proposing flexible post delineators which have been used in other applications; however, as the conversations have evolved with PennDOT and the Township, there has been a request for something more permanent such as a Jersey barrier-type treatment, but that has not been resolved at this point. Mr. Bush asked if there is an estimated timeframe as to when this will be resolved, and Mr. Williams stated it will probably be in the next one to two months.

Mr. Costello asked where they stand in terms of the loading bay discussion, and he asked Mr. Pockl if what they have described is satisfactory. Mr. Pockl stated what they described is satisfactory, and he feels it could be addressed with a Note on the Plan indicating how loading will be handled at the other buildings. Mr. Costello stated he reviewed the language in the Ordinance which he felt was clear. He stated there are some poorly-designed parking lots in the Township as well as in neighboring Townships, and he does not feel they should have a situation where people are having issues because the UPS driver or food delivery driver did not have a place to park. Mr. Pockl

stated he agrees, and that is primarily why he made his Comment. Mr. Costello stated if there is a recommendation, he wants to make sure it includes language that this can still be considered.

Mr. Costello stated in terms of the drive-through Conditional Uses, the bank is straight forward since it is a stand-alone kiosk which would probably have only one use as he does not know of another type of business that would be able to use a bank drive-through. He stated with regard to the pharmacy drive-through, he asked if they are approving drive-through facilities at this building regardless of the use or are they approving for the specific use of a pharmacy. Mr. Majewski stated it would be for a specific use of a pharmacy.

Mr. Pockl stated with regard to the site lighting, there have been issues at other parts of the Township with regarding to lighting. He stated there are approximately 91 lantern-style lighting fixtures approximately 15' to 18' tall mostly around the gathering space. He stated the fixture and post were shown on the Plan, but how the light sits within the post is not exactly clear. He stated the Township Ordinance does call for downward-cast lighting, and it is important to indicate that it is expected that you should not be able to look directly at the bulb because that is what gets projected out and that is when you see light spill-over in all directions causing glare as opposed to immediately downward which results in problems with glare. Mr. Pockl stated it looks like the closest light fixture is a couple hundred feet from Stony Hill Road, and he asked that they confirm that and discuss the particular light to be used.

Mr. North stated he was responsible for the lighting design of the project. He stated the fixtures Mr. Pockl is discussing are generally in the circulation areas around the town center, and there are some down the main drive. He stated they are serving a dual purpose as they are pedestrian lights, but they also provide illumination for pedestrian sidewalks. He stated the fixtures are post top fixtures with a glass dome, and the light source itself is contained within the cap of the fixture. He stated the fixture has a bit of a hood on top, and that helps to control the light. He stated they are LED fixtures and are lensed in a way that controls the up-light, and they are not contributing to sky glow. He stated they are also controlled as to glare, and they will not be a glare nuisance to drivers or pedestrians.

Mr. Costello asked about the topsoil Waiver and what the Township's concerns are. Mr. Majewski stated when that Ordinance was written, the concern was primarily more for Residential sites that have a lower impervious surface ratio; and the concern was that the builders would take away the topsoil and sell it, and they would not return as much topsoil back to the lawns which would result in poor grass growth. Mr. Majewski stated this is a Commercial site so it is much more difficult to keep the topsoil on site, and they would probably have to spread it 4' deep to keep it on site. He stated they have indicated that if the developer can offer it to any of the local farmers or another local developer, that would be the preference. Mr. Costello asked if this is a common request for Waiver, and Mr. Majewski agreed.

Ms. Stern asked with regard to the drive-throughs, if the uses are approved for the bank or the pharmacy and one of those tenants vacate, would the drive-through be established as a matter of right for subsequent tenants. Mr. Majewski stated it would but only for the same use. He stated if another pharmacy came in or another bank came in that would be fine; however, you could not swap out a pharmacy for a Chick-fil-A. Mr. Costello stated if Chick-fil-A wanted to lease that building, they would have to get approval from the Township to be able to use that; and Mr. Majewski stated it would be a Conditional Use approval, and they would have to show how they would handle traffic which he feels it would be very difficult for them to do based on what they know about a Chick-fil-A.

Mr. Bruch asked about the northernmost driveway on the property; and Mr. Reardon stated it is right-in, right-out, left-in, with no left-out maneuver. Mr. Bruch stated he assumes that people coming from the north wanting to get to the Wegmans would use that left-in; and Mr. Reardon stated that is possible. Mr. Reardon stated he does not know how Mr. Williams assumed the distribution of traffic in his analysis of the driveways. Mr. Williams stated the Traffic Study evolved in this regard in consultation with the Township's traffic engineer. He stated he had initially assumed a more-balanced approach; but in consultation with the Township's traffic engineer, they assumed a larger percentage of traffic from the north that wanted to enter the site would use that first access. He believes it is somewhat conservative as to how it has been planned. Mr. Williams stated there are two options for traffic from the north that want to enter the site, and they could do so at that northernmost location or come down and use the southern access under control of the traffic signal. He stated he believes it will be somewhat balanced, but for the purposes here, they have assumed a fair portion of the traffic would use the first access that they come to.

Mr. Bruch asked if there will be signage when they reach the first intersection where they can make a left that will direct them to the right to use the Wegmans parking lot in front of the store as opposed to either the parking lot on the side of the store or going behind the Wegmans. He stated he is trying to avoid a new customer getting lost. Mr. Reardon stated it is likely that someone may want to make the maneuver and go to the back; however, all of the entry points to the parking areas are inter-connected so that there are no dead ends. He added that while it has not been fully vetted out yet, he is sure that there will be interior wayfinding signage to help direct customers to the various uses. He stated that while that is not depicted on the Plan yet, he feels that is something that will be implemented into the Plan moving forward.

Mr. Bush asked if the internal signs are necessary for Preliminary or Final approval, and Mr. Pockl stated they are not.

Mr. Grenier asked if it is a requirement that the Plan needs to go before the Historical Architectural Review Board (HARB) for any sign-offs because of the historic nature of the existing barn and home. Mr. Majewski stated it is a requirement that the plans for any modifications to the house and/or the barn go in front of HARB. He stated there was a site walk with a number of different Committee members including the Planning Commission, Historical Commission, and HARB; and they had discussion and offered some suggestions on the treatment to the barn and where the addition is going. He stated that will ultimately need to go to HARB for approval. Mr. Grenier asked if there is some risk if HARB does not sign off on this. Mr. Majewski stated ultimately HARB is a recommending body. He stated they will review it, offer comments and suggestions that hopefully the developer will take into consideration and modify where necessary. He stated HARB will make a recommendation, but it would be up to the Board of Supervisors to determine how they want to see the buildings look.

Mr. Harris stated they also need approval from the Pennsylvania Historical Museum Commission and both archeological and architectural studies have been done and submitted to the Pennsylvania Historical Museum Commission for their review and approval. He stated those two buildings and the site around them will get very close review. He stated it is only a requirement for the buildings themselves as opposed to the lay-out of the Plan.

Mr. Grenier stated since they are going to the Pennsylvania Historical Museum Commission, he assumes that they have not responded to the Section 106 review yet. He stated he is curious as to whether there is a recommendation for listing on the National Register or if it is National-Register eligible. Mr. Harris stated the house has already been declared as National-Register eligible. Mr. Majewski stated based on the site walk, it should be noted that the interior of the barn is completely finished and in excellent condition for someone to be able to move right in with modifications. He stated it is a remarkable adaptation of a barn.

Mr. Grenier asked if site walks are still an option, and Mr. Majewski stated they do try to do that for all Plans unless it is not warranted. He stated for a job of this magnitude it is good to have the Environmental Advisory Council, the Historic Commission, and the Planning Commission walk the site. Mr. Grenier was advised it could be arranged for him to walk the site as well.

Mr. Bush stated at a previous meeting, they were presented with overview sketches of the off-site road improvements, and were told that they are at an approximate cost of \$6 million so obviously they are substantial; however they have not seen much of the details. He stated he understands that this is still being worked out with PennDOT. Mr. Bush stated for many in the community, traffic is a concern with regard to this project. He stated in the SAFE Highway Engineering letter there is a reference to field observations that were supposed to take place at Shady Brook during the holiday season, and he asked if that information is available to be shared with the public. He also asked for any other updates on the status of the off-site improvements.

Mr. Williams stated with regard to the off-site traffic improvements, nothing has changed. He stated there is a commitment to complete \$6.5 million worth of traffic improvements, and they are underway with PennDOT with regard to the Highway Occupancy Permit design and review process. He stated this \$6.5 million improvement package excludes the on-site improvements that would be the accesses along Stony Hill Road. He stated this is a lengthy process, and it will be many more months before they get through the PennDOT process. He stated the commitment is still there for the improvements to be completed and usable not only for this development but for the general public.

Mr. Williams stated with regard to Shady Brook Farm, there was no requirement for them to conduct counts; but since this had come up several times, they decided on their own to do this during the time of the holiday light show. He stated they coordinated with the Township staff and the Township traffic

engineer as to when would be the best time to conduct those counts, and they were done on a Saturday and Friday evening in mid-December. He stated as expected, there was a lot of traffic in and out of Shady Brook at that time of year; and there were a little over 1,500 vehicles in total, with half entering and half exiting during the peak hour. He stated the peak hour at Shady Brook is after the commuter rush hour. He stated Shady Brook's peak traffic activity occurs in the evening between 7:30 p.m. to 8:30 p.m. based on the Friday count and from 8 p.m. to 9:00 p.m. based on the Saturday count. He stated that is a little outside of the traditional peak hour. He stated the traffic entering Shady Brook Farm is manually controlled today with Police Officers, and it is a very organized process. He stated they have received from the Police Officers with regard to the design of the Stony Hill Road recommended improvements with regard to the access to Prickett Preserve as well as the access to Shady Brook Farm. He stated the Police have made a request for a left-turn signal into Shady Brook Farm; and the Police have acknowledged that with the improvements that are being offered, most notably the traffic signal, that will help to accommodate the traffic in and out of Shady Brook Farm. Mr. Williams stated they are doing their best to accommodate all of the requests from the Police Department; and anything they do with regard to traffic in that area, they will ultimately need PennDOT approval as well. He stated they believe that they will be able to do everything the Police Department has asked for in their review letter, but it does ultimately require PennDOT approval as well.

Mr. Gill asked if it is anticipated that the Police Department will continue to be there even if there is a left-turn signal. Mr. Williams stated he expects that during the peak of Shady Brook Farm's light show traffic, a Police Officer will still need to be there; however, he feels that it will be easier for a Police Officer to help regulate the traffic with the support of a traffic signal. He stated it will be up to the Police Department as to what they want to do. He feels that it will be easier and safer with a traffic signal.

Mr. Bush stated the EAC was questioning the \$6.5 million of off-site road improvement commitment indicating that some of that might have been contingent on a Grant, and he asked that they address that issue. Mr. Williams stated the development team is committed to those improvements however those improvements are funded. Mr. Williams stated they are pursuing Grant funding and looking for other funding sources to try to help off-set some of the costs for the traffic improvements; but ultimately the development team is committed to these improvements going forward. He stated they are also committed to having these improvements open in connection with the opening of the development.

Mr. Harris stated it is more than just a commitment to do these improvements since under the Unilateral Declaration that was filed by the developers, the project is contingent upon installing those improvements. He stated they must be built as a Condition of this project going forward. Mr. Harris stated this has been Recorded in Doylestown.

Mr. Bush stated one of the key off-site concerns is the 295 west exit recognizing that this was not a condition that was created by this Applicant, and it was a condition that was probably worsened by PennDOT in the last few years. Mr. Bush asked that they show the diagram so the public can see what they are proposing to do at that site. Mr. Williams stated currently exiting 295 there is a single lane coming off of the 295 westbound ramp. It is a wide, sweeping right-turn movement for traffic that then wishes to merge into the Newtown By-Pass traffic heading west. He stated it was not uncommon during pre-COVID conditions for the queue on the off-ramp to back up and extend down the ramp and back down onto the main line of 295. He stated what is being proposed in connection with this development is widening of the off-ramp to have two lanes exiting 295, and those lanes will be re-configured so that they are part of the traffic signal at the bottom of the ramp that will have two right-turn lanes for traffic turning right onto the Newtown By-Pass.

Mr. Reardon showed the slide of the proposal. Mr. Williams stated what is shown in orange is the area of widening and re-construction which is the area where the off-ramp is being widened. He stated there will in the future be two lanes for a distance of 500' on the off-ramp, and that will T-intersect into the Newtown By-Pass and will be part of the traffic signal. He stated with these improvements, they can contain that queue on the ramp so that it does not back up onto 295.

Mr. Costello stated part of the plan is to also add a lane on Yardley-Newtown Road, and Mr. Williams agreed. A slide was shown of the intersection of the Newtown By-Pass and Stony Hill Road with the intersection on the right side of the Plan. He stated in orange it shows road widening and pavement re-construction. He stated they will introduce a second through lane east-bound on Newtown By-Pass for traffic that is heading toward 295, and on the right edge of the slide widening can be seen for a second left-turn lane. He stated in the future there will be two left-turn lanes for westbound traffic that wishes to turn left and then continue south on Stony Hill Road.

A slide was shown of the area in the middle that connects the two slides that were just shown. Mr. Williams stated this slide shows the connection between Stony Hill Road to the left and the 295 off-ramp to the right-hand side. He stated this shows the continued widening for the double left-turn lane heading to the left and continued widening across the bottom of Newtown By-Pass for a third eastbound through lane as you are heading east on Newtown By-Pass and then terminating at the 295 Interchange.

Mr. Williams stated the improvements at the intersection with Stony Hill Road and Newtown By-Pass, along the length of the Newtown By-Pass at the 295 off-ramp with the Newtown By-Pass, the trail improvements over the I-295 bridge, and the signalization improvements in the area most notably at Stony Hill Road and Township Line Road total \$6.5 million improvements; and that excludes the improvements at the driveways opposite Shady Brook Farm.

Ms. Stern asked how long this will take to build. Mr. Williams stated they expect to receive their Permits from PennDOT later this year, and construction would commence shortly thereafter. He stated they expect everything to be constructed within a year.

Mr. Bush asked how this timeline lines up with the construction of the development project. Mr. DeLuca stated as noted they expect to receive the PennDOT approval Permits sometime later this year, and hopefully approval by Lower Makefield, and receipt of all the other required Permits. He stated construction of the off-site improvements would be commensurate with the on-site work although it will be two distinct construction projects. He stated the off-site improvements will take approximately one year to complete, and it would be approximately a year and a half before the Wegmans would be occupied. He stated probably some of the apartment units will be occupied prior to the off-site improvements being completed, but that detailed schedule has not been completed yet.

Mr. Williams stated most of the traffic comments are “will comply,” and they will address them to the extent that they can; however in some cases, it does require an agreement with PennDOT as well since these are State roads, and a PennDOT Highway Occupancy Permit is needed.

Mr. Williams stated there was a comment about providing a mid-block pedestrian crossing along Stony Hill Road connecting the site over to the multi-use trail on the south side of Stony Hill Road so that pedestrians would be oriented toward Edgewood Village. He stated they did look at that.

He stated this was a comment in the SAFE Highway letter and also came up at a prior meeting with the Planning Commission. Mr. Williams stated at that time, they had indicated that they felt it was safer to have the pedestrians cross at a traffic signal. He stated that is still their proposal, and they are recommending that the crossing occur at a traffic signal. He stated they have introduced some additional trail modifications to make it easier for traffic from the site and the apartments to be connected to the trail. Ultimately they would like to bring traffic to the intersection with Stony Hill Road and Township Line Road and have the pedestrians cross at the traffic signal before they continue on the multi-use trail toward Edgewood Village. He stated they believe that it is always safer to cross at a traffic signal. He stated there are also some steep slope issues on the site side that would make it challenging to provide a pedestrian crossing. He stated they also took a closer look at PennDOT's criteria. He stated Stony Hill Road in that area is posted at 45 miles per hour, and PennDOT's criteria for a mid-block crossing is such that they do not allow a mid-block crossing when speeds are higher than 35 miles per hour; and they believe that the reason for that is that it is a safety issue. He stated for all those reasons, they are recommending that the pedestrians cross at a traffic signal which they feel is safer. Mr. Bush stated the was Comment #12 on the SAFE Highway Engineering letter.

Mr. Harris stated their presentation is complete, and they would ask for a recommendation of approval from the Planning Commission for the Conditional Uses, the Land Development Plan, and the Waivers. Mr. Harris added that he understands that the Planning Commission is not in favor of the tree replacement Waiver, and they understand the Planning Commission's position if they recommend Denial of that Waiver; and they will discuss that with the Board of Supervisors.

Mr. Bush stated he understands that there is a Zoning Hearing Board and a Court of Common Pleas Case that are pending in connection with this project, and he asked if they foresee either of those matters impacting their proposed timeline. Mr. Harris stated with regard to the Zoning Hearing Board matter, that is scheduled for its third Hearing tomorrow night. He stated the Applicant has moved to dismiss that case for Lack of Standing, and they believe that there is a good chance that will occur. Mr. Harris stated they have also filed Preliminary Objections to the two Court of Common Pleas matters again asserting a Lack of Standing to bring the Challenges that have been brought, and they believe that they are on solid ground in that regard; and they are hopeful that the Zoning Hearing Board matter and the Court of Common Pleas matter will be dismissed for Lack of Standing. He stated if that occurs, they would not expect it to impact their time schedule.

Mr. Bush stated he believes that the other review letters have generally been covered.

Mr. Bruch moved, Mr. Gill seconded and it was unanimously carried to close discussion and move to Public Comment.

Mr. Bush stated the Planning Commission had discussed continuing Public Comment until 10:30; and if there are people still wishing to be heard after that point, they will Continue the matter to another meeting. Mr. Costello asked how many people were in the queue, and the Moderator indicated that there is only one.

Ms. Lisa Tenney, 156 Pinnacle Circle, stated this meeting was not well advertised. She urged the Planning Commission to include all fifteen Bucks County Planning Committee items in their document 11484-A as this development is not a true use of Mixed-Use Overlay. She feels this needs to be considered post-COVID, revised, and looked at since Oxford Valley Mall very nearby and Morrisville Town Center are currently approved for re-development. Ms. Tenney stated they should not use the terms “preserve or village,” as they are just creating a development. Ms. Tenney stated her concerns about safety were stated at the August 31, 2020 Board of Supervisors meeting. She stated there is a “Retail Apocalypse;” and if she shops Retail she does not want to be outside, and she wants to be in mall where she will “not get wet, cold, or hot.”

Ms. Tenney asked what leverage the Planning Commission has if the drive-through pharmacy falls through. She stated the “Rite-Aid Pharmacy at ShopRite is currently going out of business,” and there are two Rite-Aids and one CVS at Edgewood. She asked if this does not get approved, and they have approved the drive-through, what leverage do they have as they have already by-passed all existing Zoning. She asked if it will be a Chick-fil-A; and if it is not, will Shady Brook Farm be Chick-fil-A. She asked what leverage they will have on that as they have changed the Zoning, and they already have their lawyer wanting to be included in the Mixed-Use Overlay.

Ms. Tenney stated the town does not need small outdoor meeting sites as we have a lot of Park & Rec space. She stated we do need money for operation of the Golf Course, the Pool, and expansion of Programs needed for families and Senior Citizens. Ms. Tenney asked if the developer will be “paying into this pot.”

Ms. Tenney asked Mr. Pockl to explain how meadows and grass have a higher rate of run-off compared to impervious surface. She stated this is thirty-five acres, and most of it is Zoned “over the compliance of the pervious surface.”

She asked how was that calculation made, and she asked that Mr. Pockl explain this in detail to her and the citizens. She stated if that “cannot be done in twenty minutes, they need to make another meeting.”

Ms. Tenney asked who will be responsible for paying for the 8’ pedestrian pathway over 295. She asked if the path will be on the northeast or the southwest side. She stated that alone will cost \$6 million.

Ms. Tenney stated she feels they are trying to make a good plan, but they need to make this right going forward for the future. Ms. Tenney stated the Doylestown Planning Committee is working on their parks for inclusion, and they currently have seventeen acres of parks per thousand residents. She stated we spent a “Pandemic year” talking about Prickett Preserve, and she asked what LMT residents get. Ms. Tenney stated she wants the impervious surface explanation, and she wants to know who is paying for the overpass. She also wants to be “promised” that Chick-fil-A will not be going into the Shady Brook area or Prickett Preserve.

Mr. Bush stated the Applicant has indicated that they will be paying for the pedestrian pathway over 295. He stated he believes that many of Ms. Tenney’s comments have already been addressed in the discussions.

There was no one else wishing to make Public Comment.

Mr. Costello moved and Mr. Bruch seconded to recommend to the Board of Supervisors’ approval of the proposed Plan as submitted with the proposed Conditional Use approvals for the two drive-throughs, one for a pharmacy and one for a projected bank and Preliminary/Final Subdivision Land Development Plan subject to:

- 1) Compliance by the developer with those items listed in the Remington & Vernick Engineers review dated 1/12/21;
- 2) Compliance with the recommendations as set forth in the Bucks County Planning Commission review letter of 1/20/21;
- 3) Compliance with review letters issued by the traffic engineer, Yardley-Makefield Fire Company, and the Lower Makefield Township Police Department;

4) Compliance with the recommendations of the EAC for
the tree replacement

Mr. Costello stated he feels there needs to be some language with regard to the loading berths. He stated he understands why it has not yet been finalized. Mr. Pockl noted Comment #10 in his review letter that addressed that without requiring a change of language to the Motion. Mr. Harris stated they would agree to that, and they understood what was being requested, and they will provide it.

Mr. Costello stated it seems that Mr. Pockl and Mr. Majewski were satisfied with the current approach to the topsoil.

Mr. Costello stated with regard to the Tree Ordinance, he does not feel our Tree Ordinance is an “arcane, obscure Ordinance developed thirty years ago,” and it was implemented less than five years ago and updated last year by the Board of Supervisors. He stated he takes that as a very specific direction on what a developer should do if they cannot or do not want to replace all the trees they need to take out over a specific caliper. He stated the Applicants can petition the Board of Supervisors if they wish; however, he feels the Planning Commission should indicate that they do not accept that request.

Mr. Bruch stated he agrees. He stated he feels that Mr. Grenier’s suggestion of a third option of planting trees in another location in the Township should be considered as well as a viable option. Other Planning Commission members agreed.

Mr. Majewski stated in the Motion there was a reference to the EAC comment regarding the Tree Waiver, and their recommendation was that it be Denied. Mr. Bush stated he feels that they should not just recommend that it be Denied, but that they refer to the other alternatives as well.

Mr. Costello stated in the last five years, the Planning Commission has been given direction from the Board of Supervisors and a specific solution to a problem of not wanting to replace trees. He stated the Ordinance was just updated last year and thought about by the current Board of Supervisors who put this in place. He stated if the Board wants to re-think their decision on what the Township rule is, that is within the Board’s purview. He stated the rule is clear what is to be done in Lower Makefield if a developer cannot

plant the trees that are dictated by Ordinance. He stated if that is too much money or too onerous, it is not the purview of the Planning Commission. He stated if the Board of Supervisors decides this is a special case, and the Ordinance is too onerous, that would be for them to say. Mr. Costello stated he would reject the Waiver outright; and if the developer wants to petition this to the Board of Supervisors, that is their right.

Ms. Kirk stated the Planning Commission needs to decide whether they want to recommend approval of the requested Waivers, defer the Waivers to the Board of Supervisors, or recommend denial of the Waivers. Mr. Bush stated it appears that the Planning Commission would recommend denial of the one Waiver for the tree replacement. Ms. Kirk noted the four other Waivers being requested. Ms. Kirk stated these are listed on Page #28 of the Remington Vernick review letter.

Ms. Kirk stated the first one has to do with light poles in the Wegmans' parking area. Mr. Burch stated they have to consider this in context with the second Waiver request since if they recommend that the Waiver not be granted for the second Waiver which is to reduce the height of the poles, more poles will be needed. Mr. Bruch asked if there is a reason why they should not allow the additional 5' in height for the poles since that would allow for fewer poles which he would be in favor of.

Mr. Costello asked why the Ordinance does not allow for light poles in the parking lot as opposed to one coming out of an island. Mr. Grenier stated usually it is for safety since it provides some distance from the base of the pole. Mr. Costello stated he would agree with Mr. Bruch that he is not opposed to the additional 5' in height if it limits the number of poles. He stated he has been to a number of Wegmans' lots, and he feels that they know how to execute this; and if the poles are 25' tall in the other Wegmans' lots, he has not noticed it.

Mr. Grenier asked if 5' additional would matter from a viewshed perspective. He stated the other question is whether someone who previously did not have a pole in their viewshed now has one that could negatively impact them on some level.

Mr. Pockl stated in looking at the Plans it appears that I-295 is lower than the site, but the existing trees that will remain are well in excess of 25' especially along the I-295 section of the development, and he feels those trees are probably 40' high.

Mr. Costello asked if the 25' lights are dark-sky friendly and such that there will be no direct eye access. Mr. Pockl stated they are downward projecting lights similar to what would be seen at the Artis Development. Mr. Grenier asked Mr. Pockl how these lights would compare to the lights at Caddis. Mr. Pockl stated the Caddis light fixtures that are on the western side of the development are "viper-style" fixtures where there is a single pole, and the fixture comes out at a 90 degree angle and focuses downward, and that is the fixture for the parking lot areas here. Mr. Pockl stated the pedestrian areas have more of a lantern-style fixture.

Mr. Bruch asked the approximate height of the trees in the buffer between the Commercial and the Residential section. Mr. Reardon stated they are very similar in height to the trees along 295. He stated they are a little bit smaller closer to Stony Hill Road, and they gradually get taller as you get closer to 295. Mr. Bruch stated the biggest impact to any individuals will be the residents of the apartments; and if that buffer is sufficient, that should block the light.

The Planning Commission was in favor of recommending Waivers #1 and #2.

Mr. Majewski stated for a frame of reference there is one parking lot pole in the Giant Shopping Center that is a stand-alone pole without an island around it that is protected with concrete going up around 3' and probably no one has noticed it.

Mr. Bruch stated it is commendable that they reduced the number of poles from five to four and they removed the one from the Residential area.

Mr. Bush stated the next Waiver is to permit parking spaces to be closer than 20' to the buildings. Mr. Bush stated the Fire Marshall did not have an issue with this so it is not a safety concern. Mr. Bruch asked for additional information on the locations. Mr. Reardon stated there are spaces adjacent to Building #7 which is the pharmacy, and they are about 8' away. He stated around Buildings #4, #5, and #6, there are separation distances of about 15'. He stated at Building #2 in the front, there are some parallel parking spaces that get within about 10' of the building. He stated all other locations have either 20' or more. Mr. Pockl stated on the side of Wegmans, there will be some spaces that have less, and Mr. Reardon agreed that is correct adjacent to the café.

Mr. Majewski stated none of it occurs in the Residential.

Mr. Pockl stated the Applicant has indicated that a reduction in the parking space offset to the buildings would impact the open space. Mr. Costello stated his interpretation was that they minimized that space so that they could maximize the space in the center where they have the grass, trees, and the pavers. Mr. Pockl stated that was his understanding as well.

Mr. Reardon agreed adding that they tried to come up with a compromise between the space adjacent to the buildings and the usable space for the public.

Mr. Grenier asked the size of the parking stalls, and Mr. Reardon stated it is 9' by 18' with a 25' drive aisle.

Ms. Kirk stated it seems that the Planning Commission would be in favor of recommending approval of Waiver #3 regarding parking spaces being closer than 20' to the buildings.

Ms. Kirk stated the Planning Commission indicated they did not have an issue with recommending the Waiver with regard to the topsoil.

Mr. Costello moved and Mr. Gill seconded to Amend the Motion that:

- 5) The Planning Commission recommends approval of the requested Waivers as listed as Items #1, #2, #3, and #5 on Pages 28 through 29 of the Remington Vernick letter and Denial of the Waiver listed as Item #4 regarding fewer replacement trees than otherwise provided by the Ordinance;

Mr. Bush stated he recognizes that the off-site traffic improvement issues are not going to be resolved before this Plan moves forward, and that they will be moving on separate tracks. He stated he understands the off-site improvements are Conditioned on approval from PennDOT as well as the Township traffic engineer and the Board of Supervisors; however, he would like to include in the Motion that they pay particular attention to public safety for the proposed pedestrian/bicycle pathway going across 295 south, and to the extent that PennDOT will allow it, he feels we need a substantial barrier as it gets narrow there.

Mr. Bush stated he understands that this issue will not be resolved in the near term, but he feels the recommendation to the Board of Supervisors is that they should be mindful of public safety concerns in crossing 295 with the pedestrian walkway with the understanding that it is ultimately an issue that PennDOT has a lot to say about.

Ms. Kirk stated when Mr. Harris made comments about the Declaration of Restrictions, that is an enforceable document that the Township can force the developer to proceed with the off-site traffic improvements as directed by the Township subject to cooperation, so she does not feel that will be an issue for the Board of Supervisors to continue to monitor how those off-site traffic improvements are being constructed.

Mr. Costello moved, and Mr. Gill seconded to amend the Motion to include:

- 6) The Planning Commission recommends that the Board of Supervisors should be mindful of public safety concerns in crossing 295 with the pedestrian walkway with the understanding that it is ultimately an issue that PennDOT has a lot to say about.

Motion as Amended carried unanimously.

Mr. Harris stated they appreciate the attention the Planning Commission has paid to this and the fact that they have allowed them to move forward.

There being no further business, Mr. Costello moved, Mr. Bruch seconded and it was unanimously carried to adjourn the meeting at 10:45 p.m.

Respectfully Submitted,

Adrian Costello, Secretary