

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES – MARCH 6, 2013

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on March 6, 2013. Chairman Stainthorpe called the meeting to order at 7:30 p.m.

Those present:

Board of Supervisors: Pete Stainthorpe, Chairman
 Dobby Dobson, Vice Chairman
 Dan McLaughlin, Secretary
 Kristin Tyler, Treasurer
 Jeff Benedetto, Supervisor

Others: Terry Fedorchak, Township Manager
 Jeffrey Garton, Township Solicitor
 Amy Montgomery, Township Engineer
 Kenneth Coluzzi, Chief of Police

PUBLIC COMMENT

Ms. Gudrun Alexander, 256 S. Fieldstone Court, reminded the Board about speeding on Bluestone Drive which she has brought to the Board's attention previously. She stated there is also a timing problem with the light near the Veterans' Cemetery. After discussion it was determined that this light is in Upper Makefield, and Mr. Fedorchak was asked to discuss this with the Upper Makefield Township Manager. Ms. Alexander stated while GOAL appreciates the help the Township gave with the Township clean-up, she feels a note of acknowledgment should be sent from the Township to GOAL so that they can forward it to their volunteers. She was asked to work with Mr. Fedorchak on this.

Dr. Samuel Madera, Township resident, stated he sees no reason why there should be guns in playgrounds in the community; and he would encourage the Board to ban them. Mr. Stainthorpe stated this was discussed at the last meeting, and the Township has no authority to regulate guns. He stated some time ago the Township did have an Ordinance that prohibited guns in parks, and they had to rescind this because it was in conflict with the State Constitution. He stated in Pennsylvania all gun control matters are handled at the State or Federal level. Dr. Madera stated he feels the Board could encourage the State Legislators to make such a move. Mr. McLaughlin stated those interested in gun control should contact their State Representative who would be the best person to forward that cause.

Ms. Natalie Kay, Newtown Township, stated she understands that at a recent meeting the Board rescinded the Ordinance; but after the Newtown, CT shooting, people came to the Board upset about this, and the Board unanimously passed a Resolution to go to the State to see what could be done so that the Township would have more power to pass Ordinances to prevent guns in public parks. She stated she understands that after another meeting when some pro gun people were present, the Board rescinded this.

Ms. Kay stated she is very concerned about the safety of people in the area, and she feels elected officials have a responsibility to take care of the well being of their constituents. She stated she feels it is unacceptable that the Board rescinded the Resolution that provided for the safety and well being of the residents of the community.

Mr. Stainthorpe stated the Resolution that was passed was to send a letter to the Bucks County Association of Township Officials asking them to lobby the PSATS, the State organization, and not the State Legislature. He stated while they started to move on this, it was too late for the Bucks County organization to do anything. Mr. Stainthorpe stated he feels this is not a local issues and that it is a State issue. He stated the Board of Supervisors is to deal with Lower Makefield issues. Ms. Kay stated not having Ordinances that prohibit guns in public parks is not acceptable. Mr. Stainthorpe stated the Board of Supervisors has no authority over this.

Ms. Ruth Rosenbaum, Newtown, states she supports Ms. Kay's view, and she asked why the Board rescinded their decision since it was a unanimous vote to go to Harrisburg and ask the Government to allow them to enact an Ordinance. She stated she is concerned that the Board allowed people from the NRA to change their mind when probably the entire community would like to have the ability to enact a law that would prohibit guns from playgrounds. Mr. Stainthorpe stated it was a recognition that the Board does not have the authority. He stated the Board of Supervisors has no more power as lobbyists than any other resident. He stated this is a State and National issue.

Mr. Benedetto stated the reason he changed his mind was because of the pre-emption doctrine. He stated in 1997 the State General Assembly changed the law saying that the Township could not enforce the Ordinance banning guns in parks that they had on the books since 1979. He stated this was backed up by the Pennsylvania Supreme Court. He stated items of Constitutional importance like the right to bear arms are solely in the discretion of the State General Assembly. He stated the Board of Supervisors had no power to enforce the Ordinance so they took it off the books in 2011.

Ms. Tyler stated one of the reasons they took the Ordinance off the books was because if someone were to challenge the Ordinance, they would have been successful under the law; and the Township would have been responsible to pay their legal fees.

Ms. Rosenbaum stated her question was why they rescinded their unanimous decision to go to the organization that would then go to the State Legislature to get this changed.

Mr. McLaughlin stated the reason why he changed his mind on this decision was because the Township has no jurisdiction in this issue; and it is within the jurisdiction of the State Representative. He stated if the Board were to challenge Constitutional rights, there may be no end to the requests being made about changes. Mr. McLaughlin stated he agrees with Mr. Stainthorpe that the job of the Board is to govern Lower Makefield. He stated the Township law was in violation of the State law. He stated the reason why he originally wanted to send the letter was because he feels the Township should be able to govern Township assets. He stated when he later realized that what he was trying to do was the job of a State Legislator, he was uncomfortable with that. Mr. McLaughlin stated those interested in this should contact Steve Santarsiero, the State Representative, who has the authority to change the law so that the Township would have the right to govern its own assets. He stated the Board was only writing a letter that was going to go to one lobbying organization that might then lobby another organization to lobby the State Legislature; and he feels those interested should directly contact the State Representative whose job it is to represent the residents' positions at the State level.

Mr. Stainthorpe stated there are over thirty Townships in Bucks County and the residents could go to them and organize. Mr. Stainthorpe stated he does not feel the Board is going to take back their prior vote, and he does not feel the Board should discuss this at every meeting.

A woman from Pennsbury Court stated she feels the Board does have power as residents of Pennsylvania, and they could write a letter to the organizations discussed.

Mr. McLaughlin stated he has written letters in the past as a private citizen. The woman stated she does not understand why the Board would want to give up their power as Supervisors. Mr. McLaughlin stated the Board's jurisdiction stops at the Township borders. The woman stated she also feels it is important to talk about this at the public meetings. Mr. Stainthorpe stated it is not a Township issue, and it is something over which the Board has no control. The woman stated they are asking the Board to do what they said they would do which is to write the letter indicating they wanted to have control over Township assets when it comes to deadly weapons in public parks. She stated she does not feel that the Board is powerless, and she feels the Board should be willing to discuss it at Public Comment since this is what Public Comment is for.

Mr. Benedetto stated crime-free zones do not stop criminals, and he is not in favor of writing the letter since criminals do not follow the law. He stated he will not take away the Constitutional right of someone to carry a weapon.

Mr. McLaughlin stated he feels those interested in this should approach the State Representative whose job is to represent the residents at the State level.

Ms. Marie Rosenberg, Lower Makefield, asked the Board to rescind their decision to rescind the Resolution. She stated while the Pennsylvania and U.S. Constructions protect the right to bear arms, there have to be some limitations based on that right in the State with regard to schools. She stated she understands from the Minutes of the Board that Mr. Garton, Mr. Stainthorpe, and Mr. Fedorchak were authorized to draft a letter to be presented to the Bucks County Association of Township Officials in time for consideration at its meeting the first week of February in order that it could be placed on the Agenda of the Pennsylvania State Association of Township Supervisors at their Convention in April; and this apparently did not occur as the prior Resolution was rescinded at the February 20 meeting well past the first week of February. Ms. Rosenberg stated the Motion regarding the pre-emption doctrine permitting people to have firearms on public lands and the need to change that Statute was adopted unanimously by the Supervisors and supported by the Police Chief at the January 16 meeting. She stated since the deadline of the first week of February for submitting the letter to the Bucks County Association of Township Officials was missed, and the Board has now rescinded its Resolution, she would request that the Board again go on the record in terms of their support for restriction of firearms and their discharge in public parks and playgrounds in Lower Makefield just as she presumes they support the same restriction in the public schools. She stated many gun owners and victims of violent crimes recognize the need for common sense actions to ensure the safety of all citizens particularly children who most frequently utilize the parks and playgrounds. She asked that they again pass a Resolution to take action to lobby the State Legislature for this limitation on firearms.

Ms. Benedetto stated with regard to discharge of firearms, they could pass an Ordinance about this; and Mr. Stainthorpe stated they already have that law banning this. Mr. Benedetto stated he has no problem taking a public stance on issues, but he does not feel banning guns is the right thing to do since criminals do not follow the law. He stated he has already admitted that he made a mistake by voting in favor of this previously.

Ms. Rosenberg stated the Board should realize that there is public support for their original decision; and there are a number of people in the community who are very disappointed that the Board chose to rescind that decision.

Mr. Joe Sundeen, 1108 Pratt Drive, stated there are many Municipalities throughout the State of Pennsylvania; and if every Municipality's Board of Supervisors unanimously said that they wanted the right to regulate whether anyone can carry weapons into a playground or public park, he feels this would have an impressive effect on the State Legislature. He stated the Township's State Representative, Steve Santarsiero, is doing everything he can to impress this on the other Legislators. Mr. Sundeen stated the Board of Supervisors represents the 35,000 Township residents, and he feels if this was done all across the State, they could speak to the State Legislature and have an impact. He stated he feels to rescind their decision on the grounds that it is not within their jurisdiction, was

a shallow position to take. Mr. Sundeen stated while he recognizes that Mr. Benedetto feels that criminals will not follow the law, he does not feel he wants to have people in the parks with guns where children are playing. He stated most of the deaths in the Country by guns are not done by criminals but are from accidents and suicides. Mr. Sundeen stated while he is not indicating that the Second Amendment should be changed, he feels it is reasonable for the Township to ban weapons in the parks. He stated he feels if this was put to a Referendum, a vast majority of the people would support the Supervisors signing a letter and joining with other Municipalities throughout the State indicating this is what they want from the State Legislature. He stated while he understands the reason for the Board changing their mind, he feels the reason is fairly narrow; and they should reconsider this.

A representative from the Zubaida Foundation, 855 Big Oak Road, thanked the Board, the Township Manager, and the Police Chief for the Board's support over the past six years as a religious institution. He stated they want to be a vibrant, positive force in the community and intend to get involved and try to bring about whatever unity, harmony, and collaborative efforts they can bring. He stated their religion is Islam, and one of their goals is to erase the stereotypes across the media about their religion. He stated they are not terrorists; and they are religious, law-abiding people and they will show this in their deeds and contribute to the community. Mr. Stainthorpe stated one of the great things about Lower Makefield Township is that they have a wide diversity of religious institutions in the Township, and they all contribute greatly to the community.

A gentleman from Langhorne stated he feels those present are frustrated that the Board has indicated they do not have jurisdiction and are using this as a way not to deal with the issue.

APPROVAL OF MINUTES

Mr. McLaughlin moved, Mr. Tyler seconded and it was unanimously carried to approve the Minutes of February 20, 2013 as written.

DISCUSSION AND MOTION TO PROCEED WITH LOWER MAKEFIELD TOWNSHIP COMPREHENSIVE MASTER PLAN UPDATE

Ms. Lynn Bush, Executive Director of the Bucks County Planning Commission, was present

Mr. Stainthorpe stated every ten years the Township has to update the Township Master Plan. He stated it was last done in 2003 so they need to look at this again. He stated Ms. Bush has worked with the Township on the Plan Updates in the past.

Ms. Bush stated the Townships in Pennsylvania are expected to do a Comprehensive Master Plan and keep it up to date every ten years, and she has worked on the Township's past two Comprehensive Plans. She stated this document looks at the Township as it is today, anticipates some of the emerging issues, looks at the structure of the Township and its historic and natural features, and puts forth goals for the future as well as action steps as to what kinds of activities the Township should undertake as well as what type of Zoning regulations they should have in place. She stated this document provides the Board of Supervisors and its various Boards and Commissions with the opportunity to look at the Township in a comprehensive way, consider where they want to be in ten years, and how they are going to get there.

Ms. Bush stated she met with the Township's Planning Commission last Monday night and with the Township's Economic Development Committee on Tuesday night and both groups discussed this project. She stated the Plan from 2003 contains a lot of information that really does not require updating or changing so they do not feel they will need to do "major surgery" on the document. She stated they will update some basic facts and figures that have changed including information from the most recent Census and acknowledge and document the progress that has been made and accomplishments on many fronts since 2003. Ms. Bush stated they will look forward to some of the emerging issues that might face the Township in the future. She stated they did some brainstorming about this at both meetings and considered the population getting somewhat older, the developments that are occurring at Edgewood and the Matrix site, and changes in transportation such as the reconstruction of the Scudder Falls Bridge and the impact on I-95. She stated they also discussed Municipal services as well as River flooding and the steps that have been taken regarding the flooding that occurred in 2004, 2005, and 2006. Ms. Bush stated they will work on an update that will meet the basic requirements of the Municipalities Planning Code.

Ms. Bush stated she would like to try to incorporate as much as possible the work of the Economic Development Committee. She stated this would mesh with the initiatives that the County is undertaking since they are working with the communities on economic development issues.

Ms. Bush stated they also discussed getting all the Township Boards and Commissions together to do some brainstorming and consider issues they face that they may want to incorporate into the Plan. Ms. Bush stated they would like to work with the Board of Supervisors and bring the Master Plan up to date as effectively and efficiently as possible.

Mr. Stainthorpe stated he was liaison to the Planning Commission in 2003 when the last update was done; and it is a difficult, time-consuming project for the Township to do on its own. He stated the County Planning Commission has resources available to them such as statistics and maps so he feels it makes sense to have Ms. Bush involved as well

particularly since she is familiar with the Township having done this twice before. Mr. Stainthorpe stated he feels the economy and the state of the Township have changed drastically since 2003 so he feels it would be good to take a look at where they are and where they want to go in the future so that they can maintain their quality of life. He stated he would recommend moving forward with Ms. Bush's proposal.

Mr. McLaughlin asked how they coordinate with other Township's Master Plans that are neighbors to Lower Makefield. He stated he would like to get a coordinated review. Ms. Bush stated the State Law that gets guides what they do in Planning and Zoning has a requirement that the Township look at the Plans and Ordinances of the surrounding communities. She stated she stated she feels the most important thing to do is to identify the issues that they have in common where they need to coordinate.

Mr. McLaughlin moved and Ms. Tyler seconded to move forward with the Master Plan Update.

Mr. Benedetto asked how the public can be advised when they will be meeting on this so that they can weigh in on any proposed changes rather than waiting until the final draft is published. Ms. Bush stated they meet in public sessions with the Planning Commission and anyone is welcome to attend. Mr. Stainthorpe stated in 2003 they mailed out a survey to residents ahead of time asking them what they felt were the important issues facing the Township. Ms. Tyler stated the Planning Commission indicated that they would designate their second meeting of the month toward completing the Master Plan hopefully by year's end. Mr. Benedetto asked Ms. Bush if she will be meeting with just the heads of the Boards and Commissions in the Township or the entire group. Ms. Bush stated she would be guided by the Board of Supervisors on this. She stated she has found that it is beneficial to have the people that are involved in all aspects of the community to get together and have a round table discussion about the future issues. She stated she will discuss this with the Township Manager. Mr. Benedetto stated he also feels that different outside groups should be part of the process such as PAA, YMS, and Makefield Woman's Association.

Mr. Stephen Heinz, Chairman of HARB, asked the cost. Mr. Stainthorpe stated the Board received a list of professional services on an hourly basis and they range from \$75 an hour for the Executive Director's time to \$26 per hour for clerical services. Mr. Fedorchak stated he and Ms. Bush did discuss a Budget for the project, and Ms. Bush submitted a not-to-exceed figure of \$20,000, and he did put that number in the Capital Budget for 2013. Mr. Heinz stated when they did the 1993 Master Plan he was on the Committee which had a representative from each of the Boards and Commissions, and there was a lot of information that came out of that. He stated he feels there should be a separate meeting just for a round table discussion with a representative from each of the Boards. Mr. Stainthorpe stated he agrees that all the Boards and Commissions should be involved, and they could have a special meeting or they could to the Planning

Commission meeting when they discuss this at the Planning Commission's second meeting of the month. He stated he would look to Ms. Bush and the Planning Commission to set the parameters for how this will work.

Mr. Jerry Gruen, Zoning Hearing Board, urged the Board to look at Zoning and establish some regulations as far as solar energy panels since there is nothing on the books currently. Mr. Stainthorpe stated they are already looking into this. Mr. Gruen stated he has also read in the paper that there is an attorney in the County that is trying to get a number of Townships together regarding miniature cell towers, and Mr. Stainthorpe stated they are looking into this as well.

Mr. Benedetto asked when Ms. Bush feels the Board of Supervisors will be able to vote on the Plan, and Ms. Bush stated she felt a deadline of the end of the year was realistic, and they will move as efficiently as possible. Ms. Tyler stated at the Planning Commission they did discuss that this will not be a complete new Plan but will be an update as 75% to 80% of the Master Plan will probably remain unchanged, and they are only identifying and updating specific parts of the Master Plan that require attention and change so they feel this will be a far more expedient process than was the 2003 Plan which involved a lot more work and change. Ms. Bush agreed and added that because the County has embarked on the Economic Development initiative whatever time is spent on the Economic Development component that expense will be borne by the County so this will reduce the overall cost to the Township. She stated the mapping is also basically in place so costs associated with this will be less than what was seen in previous documents.

Motion carried unanimously.

REVIEW OF THE 2012 PUBLIC HUNT PROGRAM

Mr. Andrew Macan and Mr. Dave Kimble representing BOWMA were present. Mr. Macan thanked the Board of Supervisors for having them again adding that they had a productive season and removed seventy-seven deer twenty-two of which were donated to local food banks resulting in approximately 3,000 meals to feed the hungry. He stated they look forward to a similar program for the 2013/2014 season if the Board is so amenable, and they would work with Mr. Fedorchak to fine tune the details.

Mr. Stainthorpe stated he felt they got closer to 100 to 125 deer removed in years past. Mr. Macan stated they were over 100 the past two years, and he feels this year's number may be due to success they have had. He also stated the properties they have been using they have been on consecutively for three years, and deer will get pressured on those properties so it is important for them to look at new areas which will help them be effective. He stated to help minimize the impact to the public this year, they removed one month from the hunting season. Mr. Stainthorpe asked if they feel they are thinning

the herd; and Mr. Kimble stated he does feel it is thinning, and the hunters are indicating they are seeing less deer. Chief Coluzzi stated over the last three years, they have averaged 85 to 86 deer/vehicle accidents, and it has not increased. Mr. Stainthorpe stated he feels this is a good program which is working. He stated they have very few calls from citizens about hunters so it appears that BOWMA is running their program well.

Mr. Benedetto asked the properties being hunted, and Mr. Kimble reviewed the properties including the Five Mile Woods, Snipes Tract, Patterson Farm, Park & Ride, the Golf Course, and some private properties. He stated all the properties involved were included in their report. Mr. Benedetto asked if the majority of the kills were in the Five Mile Woods, and Mr. Macan stated they were disbursed throughout the Township. He stated eleven were from the Five Mile Woods this year. Mr. Benedetto asked how many hunters were involved, and Mr. Kimble stated they started with twenty hunters and ended up with eighteen. Mr. Benedetto stated there was an article about Upper Makefield and the idea of working in a regional approach since deer do not respect boundaries. Mr. Kimble stated they have sent a letter to Upper Makefield expressing their interest in working with them. He stated a collaboration of Townships with the right group involved can save all the Townships money and get the job accomplished. Mr. Kimble stated deer will migrate where the food sources are. Mr. Benedetto stated he agrees that a collaborative effort would make sense and save money.

Mr. Macan stated there is reimbursement for some expenses by the Township, and this worked out to \$4.29 per deer.

Mr. Fedorchak stated he worked with both Mr. Macan and Mr. Kimble very closely; and he stated BOWMA managed the program very tightly, and they are very strict about safety regulations, and the Township had no safety incidents of any kind over the last four years. He stated BOWMA has been very responsive whenever there is a question as to where the hunters are, etc. Mr. Fedorchak stated the cost to the Township for the program was under \$400 this year.

Mr. McLaughlin stated while safety was the governing principle of the program, John Heilferty the Naturalist at the Five Mile Woods had discussed the deterioration of the Woods because of the deer. He stated last year Mr. Heilferty had reported that there was noticeable improvement in the Woods, and this is a benefit to the Township so that this asset is preserved. Mr. Kimble stated usually it takes five years to start to see regeneration of the natural plants although Five Mile Woods is an exception because the damage was so excessive. He stated when the deer damage the natural plants, invasive species come in which are extremely difficult to get rid of.

**DISCUSSION AND APPROVAL OF 110 OVINGTON ROAD (BULLARD)
PRELIMINARY/FINAL MINOR SUBDIVISION PLAN**

Mr. Edward Murphy, attorney, and Mr. Eric Clase, engineer, were present. Mr. Garton stated they are proposing to subdivide Tax Parcel #20-43-135 into two lots; and one of the lots will contain the existing lot and the other will be improved with a new single-family dwelling. He stated the Planning Commission recommended Approval subject to a variety of Conditions.

Mr. Murphy stated the Plan has been under review for some time, and it has gone through a series of revisions. He stated Ovington Road is a dead end street, and the Bullards live at the end of the dead end street. He stated they are proposing to create a single lot adjacent to theirs that would be serviced by a separate driveway out to Ovington Road. He stated the Planning Commission recommendation included a number of Waivers and Conditions which are outlined in the draft Resolution that Mr. Garton shared with him and with which they have no issues. He feels they have addressed all the issues that have been raised over the years.

Mr. Stainthorpe stated one of the issues with the property was steep slopes, and he asked if this was corrected and how it was addressed. Mr. Murphy stated this has been addressed. He stated one of the reasons for an earlier Planning Commission deferral was pending the confirmation from the prior Township engineer that those issues had been addressed, and they obtained written confirmation from the prior Township engineer that the issues on the site had been addressed and there were no longer any steep slope issues. Mr. Stainthorpe stated he also read that there were some stormwater issues as there was a stormwater easement through the property. Mr. Clase stated the previous stormwater layout discharged the stormwater run off coming down off of Ovington Road into the property into the fill area. He stated the Township engineer requested, and they have obliged, that they pipe the stormwater down the sanitary easement and further down the hill so that it would not go into the fill area but go straight back into the Canal. Mr. Stainthorpe asked if it would have any impact on the Canal, and Mr. Clase stated it will not.

Mr. Garton noted possible Conditions of Approval as follows:

- 1) Compliance with the Bucks County Planning Commission letter dated 6/29/12
- 2) Compliance with the Boucher & James letter dated 2/5/13
- 3) Compliance with the Tri-State Engineers letter dated 12/21/12

- 4) Compliance with the Remington & Vernick letter dated 5/16/11 to the extent they have not been satisfied by subsequent Revised Plans having been submitted
- 5) Applicant has requested Waivers to the following Provisions of the Subdivision and Land Development Ordinance:
 - a) Section 175-40.A through E requesting Waiver from the right-of-way for Ovington Road which is now 55', whereas it would be required to 56' and the existing cartway is 20', and they are requesting to leave it 20' and not make it 26'
 - b) Section 178-44J so as to permit the drive to be less than 5' from the property line
 - c) Section 178-56A request to provide a 20' wide sewer easement in lieu of the required 30' noting that the existing sewer easement is only 20'
 - d) Section 178-56C to permit a driveway and stormwater sewer within the sanitary sewer easement
 - e) Section 178-93F3C to permit a 15" storm sewer pipe instead of an 18". The current one in Ovington Road is 12"
 - f) Section 178-93F3H to permit 1' of cover over the stormwater pipe in lieu of the required 2'
- 6) No glare of headlights from the driveway shall impinge upon a nearby intersection or intrude on the nearby lots
- 7) Applicant to pay Fee-In-Lieu of recreation for the new lot
- 8) Applicant to pay Traffic Impact Fee for the new lot
- 9) Receipt of all Permits and Approvals by agencies having jurisdiction over such matters including DEP, Conservation District, etal

- 10) Applicant shall comply with Township engineer's recommendation as to stormwater management and best management practices and shall execute a Stormwater Management Agreement in a form satisfactory to the Township
- 11) Applicant shall pay all review fees for all prior reviews and reviews in connection with this Approval
- 12) Any signs if proposed will comply with the Township Sign Ordinance and they should secure all Permits
- 13) All lighting shall comply with existing Township Ordinances and no glare shall extend onto adjoining properties and a Note to that effect shall be added to the Plans
- 14) Applicant shall execute a Declaration of Unilateral Restrictions and Covenants as it relates to Notes contained on the Plan, that Declaration to be filed contemporaneously with the Final Plans
- 15) Plan shall be ADA compliant
- 16) Any references to shared driveway shall be removed as there will be two driveways and not a shared driveway
- 17) Execution and funding of Development and Financial Security Agreements

Mr. Murphy agreed to the Conditions of Approval.

Mr. Stainthorpe stated this project goes back at least six years, and there was some ill will from the neighbors. He stated he personally feels they are "shoe-horning" a house into a neighborhood that was built in the 30's and 40's, and typically he does not feel that this is a good idea. He asked if the Waivers are minor in nature, and Mr. Garton stated they are minor and customarily granted and are routine in the normal process of considering a Plan noting that he is not an engineer and the Township engineer should be asked her opinion. Mr. Stainthorpe asked Mr. Garton if there is anything being requested that would cause the Board to deny the Plan, and Mr. Garton stated he does not see a basis for that. Mr. Stainthorpe asked Ms. Montgomery if she is satisfied with what they have proposed, and Ms. Montgomery stated they are satisfied.

Mr. Benedetto stated he reviewed prior meeting Minutes and in March, 2006, and there was opposition from the neighborhood from the beginning with the fill. He stated he understands that the Bullards did correct this after going to the Zoning Hearing Board.

Mr. Murphy stated this was before he was involved with the project; but since he has been involved, they have received confirmation from the Township engineer that that issue had been resolved. Ms. Tyler stated they do have a letter from the prior Township engineer confirming that they are in compliance.

Mr. Benedetto stated the Bullards purchased the property in 2003, and in reviewing the Minutes of August, 2006 it states that Mr. Bullard indicated he wanted to enhance the property because it was a safety factor. Mr. Benedetto stated Mr. Bullard also indicated numerous times that under no circumstances were any plans being made for any kind of house and it was only to expand their side yard. Mr. Benedetto stated it also indicates in the Minutes that Mr. Santarsiero went out to the property in September, 2006 because he was concerned about the future of the property and that a second dwelling may be built on the property, and Mr. Bullard indicated that this was not something they were planning to do. Mr. Benedetto stated he feels the Bullards were misleading to the public and to the neighbors. Mr. Benedetto stated even though it has been indicated that these revisions are minor, he does not feel that they are minor to the neighbors.

Mr. Benedetto stated he is never in favor of ever granting a **Preliminary/Final Approval**, and he will never vote for that especially under these circumstances when there are people who have issues with the Plan. Mr. Benedetto stated he feels the neighbors have been misled. He stated the Meeting Minutes show that there is extensive testimony from neighbors who indicated they knew what was going to happen on the property and were hoping that the Bullards would not be rewarded for this. Mr. Benedetto stated he feels the Township is actually rewarding the Bullards for not following the Ordinances in 2006, and he feels their plans all along were to build a second property. Mr. Benedetto stated the Westover area is a valued neighborhood, and people bought into this neighborhood because they loved the beauty of the property. He stated he feels that this will diminish the value of the properties in the area. Mr. Benedetto stated the neighbors have been opposed to this for seven years, and he feels they were misled.

Mr. Cary Sutherland, 105 Ovington Road, stated one of the concerns is the **drainage** because there is a hill. He stated his other concern is the Waiver request. He stated this was a fill area and the environment where they are going to build the home was made by the fill, and they are looking for a Waiver request. He stated his property is adjacent to the subject property, and the way the home will be positioned it will be at the end of the road so the aesthetics for the neighbors will have a huge impact. Mr. Benedetto noted the letter received from Mr. Sutherland about the stormwater run off and the fact that the stormwater pipe is exposed. Mr. Sutherland stated he does not have run off issues, but he is concerned that what will be put in could change things quite a bit. He stated he is also concerned with the view of the house coming down the road. He stated they are making the road less wide and putting in a home that will creep in on the right-of-way. He stated this is a fill area, and there is no hardship claim because they created this fill area and now they want to build a house on it and are requesting Waivers.

Mr. McLaughlin asked if the house will be built on the fill area, and Ms. Tyler stated it will not. She stated they moved the building envelope at least once so that they would distance it from the fill area. Ms. Tyler stated there were other complicating stormwater run off issues that were not related to the Bullards, and there was another neighbor who had storm pipes that needed to be corrected. Ms. Tyler stated when she went to look at the property it was found that other swale pipes that could be seen were caused by another homeowner's diversion of stormwater that has since been corrected.

Ms. Julie Goldman, 110 Vernon Lane, stated her property is on the Canal and abuts the subject property. Ms. Goldman stated she does not feel the Subdivision should be approved unless and until all regulations and testing are complied with. She stated she feels compliance with the Code is not unreasonable or causes any undue hardship in this instance. She asked if the Applicant has demonstrated that they meet the criteria for the Waivers being requested. She stated she believes it is important that the appropriate testing is completed to insure the preservation and safety of the Delaware Canal. She asked that if the Board grants the Subdivision that they do so with Conditions in place that the Waivers are denied. She stated she bought her property in 2010 and it is built right into the hill, and she is concerned about run off into the Canal and the fact that any excavation that would be done in building the development could disrupt her structure in the hill. She stated she does not feel this neighborhood was meant to have new homes built. She stated all the properties on the Canal are built into the hill, and bringing in bulldozers and excavators to dig the sensitive land will effect all of their properties as well.

Mr. Stainthorpe asked what type of testing she feels needs to be done, and Ms. Goldman stated infiltration and sub-surface testing. Ms. Montgomery stated those types of testing are not required based on the Act 167 Plan for the Delaware River because of the amount of impervious that is being added and because it is a Residential property.

Mr. Garton asked Mr. Murphy to discuss with the Board his rationale for the Waivers being requested.

Mr. Murphy stated with regard to the Waiver to Section 175-40A dealing with the right-of-way issue, as noted by Mr. Garton, the proposal is to seek a Waiver for a 1' Variance from the right-of-way. He stated the right-of-way required in the Township is 56', and Ovington Road is currently 55'. With regard to the existing cartway of Ovington Road, it is currently 20' in width, and the Ordinance requires 26'; however, since they are at a dead end and the only thing extending from the Ovington Road dead end is a driveway, there is no practical necessity to unnecessarily increase the impervious surface by adding 6'.

Mr. Murphy stated with regard to the Waiver to Section 178-44J this is a request to permit grading within 5' of the property line. He stated it is impossible to do it otherwise because where Ovington Road meets the proposed two lots there will necessarily be some disturbance within the 5' area where they meet. Mr. Murphy stated as Mr. Garton noted earlier, this is a common Waiver and routinely granted. He stated to do otherwise would also disturb trees, and there is no reason to unnecessarily disturb trees at the end of the dead end road.

Mr. Murphy stated the Waiver to Section 178-56A relates to the sanitary sewer easement. He stated at the end of Ovington Road there is an existing easement that traverses the lots and goes almost to the Canal; and within that area of the easement, there is already a sanitary line and the sewer line. He stated they are proposing to include within that easement those same improvements to get to the new lot. He stated the existing driveway servicing the Bullard residence is on that easement, and they are proposing a portion of the new driveway to go to the new lot to also be on the easement. He stated they are matching existing conditions with what they are proposing to do. He stated while they are seeking relief to match existing conditions, they are widening the easement to meet the Ordinance standard.

Mr. Murphy stated the Waiver to Section 178-56C is related to Section 178-56A and is a request to permit and driveway and the storm sewer to be within that same sanitary sewer easement that already exists.

Mr. Murphy stated the next Waiver has to do with storm sewer piping. He stated in the bed of Ovington Road the storm sewer pipe is 12" in diameter, and the Ordinance requires that it be 18". He stated the Township engineer in an abundance of caution has recommended that the Applicant install the pipe at 15" which is still well in excess of what they would need to carry the stormwater so they are asking for a Waiver to reduce the pipe size requirements from 18" to 15" recognizing the existing condition is 12".

Mr. Murphy stated the last Waiver is to Section 178-93F3H and they are requesting to provide 1' of cover over the storm sewer pipes. He stated this is the manufacturing standard that is required, and the Township engineer agrees that any additional cover is unnecessary from an engineering standpoint.

Mr. Murphy stated as Mr. Garton indicated earlier all of these Waivers are recognized as routine and are minor deviations from the Ordinance and well supported by the conditions at the site.

Mr. McLaughlin moved and Ms. Tyler seconded to Approve the Preliminary/Final Minor Subdivision Plan dated 5/22/12 last revised 2/13/13 subject to the Conditions noted earlier by Mr. Garton.

Mr. Don Lex, 106 Vernon Lane, asked what was the solution as to the run off. Mr. Clase stated the pipe was discharging into the fill area; but as recommended by the Township engineer, they will now send it down the proposed property line and will be discharging it further down the hill. The property owner will pay for this when the home is constructed, and the Township will not be paying for this. Mr. Lex stated this whole project has been done with deception. He stated the neighbors were told that this was being done for safety sake and that it was a liability issue as someone could fall in the hole even though it had been there for two hundred years. Mr. Lex stated he had offered to buy the property and have it subdivided, but Mrs. Bullard would not speak to him. He stated the prior engineer, Jim Majewski, was told that five trees were going to be taken down, and nine trees were taken down. Mr. Lex stated Mr. Majewski was also told that there would be two people dumping fill, and there were eight. Mr. Lex stated he spoke to a number of truck drivers after they dumped the fill in the hole; and while Mr. Majewski was told that the fill would be coming from two places, Mr. Lex stated they do not know where the other fill came from. Mr. Lex stated he does not feel that anyone has tested the fill. Mr. Lex stated they thought they had open space, but they do not have it anymore.

Mr. Benedetto stated in August 15, 2006 Mr. Lex stated at that meeting that he never thought anyone would do what has been done or that the Township would allow it. Mr. Lex stated he was discussing the fill. He stated the Township did not have an Ordinance and allowed all this overflow. He stated two thousand trucks came in for a year and a half. Mr. Benedetto stated Mr. Lex also stated that he had paid a premium price for his lot because of this open space, and now it will be gone. Mr. Lex stated Ms. Rassler who previously lived at 105 Ovington was told by Mr. Bullard that they would have a beautiful view of the Canal when they were done. Mr. Lex stated he told Mr. Bullard that this would be true until houses were built there, and Mr. Bullard stated three houses would be built. Mr. Lex stated he feels the whole thing is deception.

Mr. Stainthorpe stated he was on the Board of Supervisors when this started, and he is not pleased with the way it was handled; and he does feel it is deceptive, but common sense indicates that there are private property rights and people do have the right to develop their property. He stated if they meet the Ordinances and standards which it appears they have, they have the right to develop the property. Mr. Stainthorpe stated while he does not like the house being “shoe-horned” into an existing older neighborhood, this does not matter as what matters is what the Ordinances say and what the law says. Mr. Stainthorpe stated this Plan has probably been scrutinized as hard as any Plan in the Township because they were not happy with it. He stated Ms. Frick has made them “cross every T and dot every I.” He stated the Plans have been reviewed numerous times and changes have been made. Mr. Stainthorpe stated he has been in contact with some of the neighbors for years; and while he understands their feelings, this is a rule of law, and if they have met the Ordinance, he feels they have to approve it. He stated if they chose

not to approve it, they leave the Township open to a lawsuit and could have a Judge impose something on the Township. He stated they would then have to spend legal fees defending what they know legally was a bad decision.

Mr. Benedetto stated while he understands Mr. Stainthorpe's point, they are requesting eight Waivers, and he does not feel that they are all minor and they are not minor to the neighbors. He stated he feels the Waiver for the spacing between the dwelling and the street is a major issue and changes the character of the neighborhood. He stated he feels people bought into this neighborhood with the understanding that it would remain pretty much as it was. He stated he also feels there was deception which is being rewarded, and he feels this is wrong.

Mr. McLaughlin asked Mr. Garton if eight Waivers is considered to be significant since his experience has been that most developments have Waiver requests. Mr. Clase stated they are only requesting six Waivers. Mr. Garton stated it is not the number that determines whether it is significant, it is the nature of the Waivers. Mr. McLaughlin stated in his experience on the Board most developments have a similar number of Waivers. Mr. McLaughlin stated with regard to the comments made about "deception" it is true that people do change their minds and they are allowed to develop their land. He stated while he is empathetic to the situation, he does not feel people should expect to have a lot of open space that is not their property when it is zoned Residential, and he does not feel they can be guaranteed that it will always remain open. Mr. McLaughlin stated the Board is to judge on the enforcement of law.

Mr. Benedetto stated at the Zoning Hearing Board meeting, the Bullards were asked if they had plans to develop and subdivide it; and Mr. Bullard refused to answer the questions. Mr. Benedetto stated he told other people that he had that intention to do so and there was no change of mind. Ms. Tyler asked assuming that is true, what bearing does it have on the enforcement of the Ordinances, and Mr. Benedetto stated he was speaking to the comment that people can change their mind since he feels he did not change his mind, but he had that intention from the beginning. He stated he is voting against it because he feels it is not consistent with the character of the neighborhood; and they have a justifiable reason to not grant six Waivers regardless of what the Planning Commission or others thought. He stated he does not feel it is justifiable to make a decision based on the potential that there could be a lawsuit.

Mr. McLaughlin stated property owners have the right to develop their land; and if it conforms to the law, it a right just as is the right to bear arms. Mr. McLaughlin stated everyone lives on land that was once open space or a farm, etc.

Mr. Benedetto stated the Board has the right to vote up or down; and if it does not make sense and the neighbors say this is not something they want in the neighborhood as it is not consistent with the neighborhood and there are issues with run off, the Board does not

have to grant everything a developer wants. He stated they are violating the Ordinances and seeking Waivers, and the Board can say they are not going to allow this because they love the neighborhood and the Township and are going to keep it that way. He stated the Bullards bought into the neighborhood of Westover which they should know has a consistency to the neighborhood, and they should not be able to build a brand new house in an area where the houses are from the 1930s and 1940s.

Ms. Tyler stated she reviewed this project very extensively with Ms. Frick as well as the Township engineer, and they have “left no stone unturned.” Ms. Tyler stated she did ask why they needed all the requested deviations, and the Township engineer indicated that they are quite consistent with the history in Lower Makefield and the type of relief routinely granted on developments of this type. She stated she agrees that this is difficult given how the residents feel they were misled based on some of the 2006 findings, but the Township is bound to be consistent with the application of the Township Ordinances and how each Land Development Application is reviewed.

Mr. Jerry Gruen asked how the Board of Supervisors can approve this if there are six Waivers, and he asked why this would not go to the Zoning Hearing Board if they are requesting Variances. Mr. Stainthorpe stated the requests are for Waivers from the Subdivision and Land Development Ordinance, and these are not Zoning Ordinance Variances. Mr. Murphy stated these Waivers are being sought not from the Zoning Ordinance provisions but from the Subdivision and Land Development Ordinance and those Waivers are the province of the Board of Supervisors and not the Zoning Hearing Board.

Ms. Michelle Stambaugh, HARB member, stated Westover is a lovely, historic neighborhood; and they were reminded that it was eligible for the National Register Status when Mr. Marshall from the Heritage Conservancy came to the Township five years ago. She stated property owners do have the right to build, but this is a historic neighborhood; and when they are considering building a new house, they should consider what brings people to Lower Makefield and neighborhoods like Westover.

Motion carried with Mr. Benedetto opposed.

DISCUSSION OF CERTIFICATE OF APPROPRIATENESS FOR 1674 EDGEWOOD ROAD

Mr. Stainthorpe stated the owner has requested permission to demolish this property, and the request was denied by HARB.

Mr. Edward Murphy, attorney, was present with Mr. C. T. Troilo. Mr. Murphy stated Mr. Troilo, the owner of the property, submitted a request to demolish the structure at 1674 Edgewood Road. He stated he understands that the Board members have seen photographs of the current condition of the structure. He stated last month HARB made a Motion to disapprove the Application to demolish the structure, and Mr. Troilo is asking the Board of Supervisors to make a decision on the merit of the request for a Certificate of Appropriateness to remove the structure.

Mr. Stainthorpe stated those houses have been in bad shape since he moved to the Township in 1987; but he is concerned that there have been too many places in Edgewood Village that have been allowed to deteriorate recognizing that the Township has limited powers to prevent that. He stated they did allow the house the Messicks owned to be taken down since it was falling down; but they made a requirement that when the land was developed, the house had to be replaced. Mr. Stainthorpe stated in this case he is very reluctant to overrule HARB. He stated he agrees that they are eyesores and present safety concerns, but they still have some significance to Edgewood Village.

Mr. Murphy stated Mr. Troilo believes that the building at the point which is the stone structure does have value, and his view was always that whatever development they came up with would include retention of the building at the point. Mr. Murphy stated this is in contrast to this particular building being discussed this evening which is in worse shape; and in any development schemes that Mr. Troilo has presented to the Township, this building was never intended to remain.

Mr. Stainthorpe stated when it was designated a Historic District, every building was meant to stay. Mr. Stainthorpe stated they need to consider why they have a Historic District if they are going to let all the structures fall down. He stated rather than override HARB, he would like to come to some other solution. Mr. Murphy asked that the Board make a suggestion which they could then discuss.

Ms. Tyler asked the total acreage of the property, and Mr. Troilo stated it is approximately six acres. Ms. Tyler asked if there are any other buildings on the property other than the two houses, and Mr. Troilo stated there are not. Ms. Tyler asked what is their intent for development of the property, and Mr. Troilo stated they are in the very early stages of planning. He stated when they did the planning at the corner, they formulated all of the plans, paid the engineers, etc. and then had to change everything. He stated therefore in this case, they are trying to establish the development parameters they will be constrained by first; and in looking at this and doing some preliminary studies, the cost associated with keeping this house far outweighs demolishing it and re-working the site and perhaps incorporating a similar building to look like it. Ms. Tyler stated they are aware of the cost of renovation and rehabilitation of historic homes.

Mr. Troilo stated there are not just up-front costs, but long-term costs as well because the rentability of a house like this and the income it produces are a lot less than a newer structure with higher ceilings and spaces for HVAC, etc. He stated they are trying to balance keeping the historic nature with the realities of economics.

Mr. Benedetto stated he is the HARB liaison, and at that meeting he had asked Mr. Troilo if his plan was to take the house down and build a parking lot; and Mr. Troilo had indicated that was his plan. Mr. Troilo stated he is not sure whether a parking lot is going to go exactly where the house is. He stated the plan is to develop it commercially similar to what they did at the corner with buildings, parking, and consideration of stormwater run off.

Mr. Stainthorpe asked if they also own the Messick property across the street, and Mr. Troilo stated they do.

Mr. McLaughlin asked where this property will fit in with the development of the area. He asked what would this become if the Board does not allow them to demolish the building. Mr. Troilo stated they do not know what it would be. He stated if they cannot take it down, it will inhibit their use of the property and delay what they will do. He stated primarily what they do is retail space with either office space or an apartment above which is what they have proposed for other properties in Edgewood Village. He stated they do want long-term tenants who are established and they do not want yearly turn overs.

Mr. McLaughlin asked if this structure fits into a feasible use in the future, and he asked if there is a market for older homes like this as an office or restaurant; and Mr. Troilo stated there is not. He stated it is very difficult to rent this type of structure since people are accustomed to bigger spaces with taller ceilings. He stated people do not like to go into small, cut-up spaces. He stated the ceilings do not allow for retrofitting for HVAC and other modern conveniences. He stated to rehab it makes for a very limited market and handicaps them. Mr. McLaughlin asked if it were to be rehabbed, would a majority of the house have to be replaced; and Mr. Troilo agreed it would. Mr. McLaughlin stated it appears they are going to replace the house when they demolish it or rehab it. Mr. McLaughlin stated they just discussed character and the importance of aesthetics, and yet in the heart of the Township lies blight. He stated he questions if these are economically-feasible structures that can bring value to the Township recognizing that these is history in buildings.

Mr. Benedetto stated they have not done a professional evaluation of the house, and Mr. Troilo agreed. Mr. Stainthorpe stated he feels that this is what the Board needs to see. He stated what they have done across the street is outstanding, and he is anxious for the buildings to be filled. Mr. Stainthorpe stated he would like to know about the historic significance of the property.

Ms. Helen Heinz, Historic Commission, stated this District was inaugurated in 1979 and there were thirty-two structures on the list that was submitted to the State of Pennsylvania and was accepted to the National Register including two barns, a shed, an outhouse, etc. She stated under the law this is what they have to preserve. She stated it represents a typical cross section of a crossroads village in Bucks County which is an eclectic collection of architecture. She stated they created a TND and have been generally happy with what Mr. Troilo has done.

Ms. Heinz stated there was poor documentation on this particular structure when it was submitted, and from what she was able to determine by reviewing maps, it was built between 1850 and 1858. She stated the structure joining it was built in 1790, and she reviewed the history of that home.

Ms. Heinz stated of the thirty-two structures that were submitted in 1979, ten are gone with eight demolished in the last two years for various reasons either fires or demolition.

Mr. McLaughlin asked what would happen if it is determined that the cost was \$500,000 to rehab a property that had an economic value after of \$400,000. He stated he is concerned that the cost to rehab these structures far exceeds the value they can generate from an economic standpoint. He stated he is concerned that no private business person would therefore take on that inequity. Ms. Heinz stated the market should do its work; and if someone cannot or does not want to develop it, they should put it up for sale, and they will see who will come along and do it for less using “sweat equity.”

Mr. McLaughlin stated this does not seem to happen often although it could be a possibility. Ms. Heinz stated this is not the Board’s concern because it is a private property.

Mr. Stainthorpe stated Mr. Troilo is a successful developer, and he feels they should be able to make this work. He asked that they collect some more details about what could be done with the building.

Mr. McLaughlin stated the house across the street may have been in no better condition than this structure, so they need to get an estimate of what it would cost to rehab this structure to get it to a point where it could be used for **commercial/retail**.

Ms. Tyler stated the Board does not know what their plans are for development and they can therefore not agree that it is necessary to knock down the house. She stated they also need to see an estimate of the cost of repair. She stated Mr. Troilo owns a very significant portion of Edgewood Village that is going to undergo development over the next decade, and Mr. Troilo is in the unique position of maintaining and restoring some of the historical homes as a piece of the overall development. She stated she hopes that he will consider the success he has had with the other restoration as restoring the homes will have an economic benefit to the developer as it continues to draw people into

Edgewood Village. She stated they cannot have a historic Edgewood Village with brand new structures. She feels Mr. Troilo has a great incentive to restore those properties that can reasonably be restored. She stated she feels they should formulate a plan for development of the parcel around preserving the historic structures. She stated while it is possible that the house cannot be restored, she asked Mr. Troilo to devote his efforts to making restoration a priority; but she added the Board is not deaf to the economic reality. She stated the Board appreciates what Mr. Troilo has already done for the Township, and they would like to see them partner with the historians rather than be adversarial.

The Board was not in favor of over-riding HARB's decision at this time.

Mr. Stephen Heinz thanked the Board for this. He stated in the enabling legislation that includes the Historic District, the critical valuation of any structure that has been designated and put on the list is supposed to be appropriately addressed on historic merit and historic value of which these have already been recognized. He stated HARB has worked with Mr. Troilo in the past on Edgewood Corners, and they will work with them in the future. He stated he appreciates what Mr. Troilo has done, and they want to support that.

APPROVE BUCKS COUNTY WATER & SEWER AUTHORITY INTERCEPTOR AGREEMENT

Mr. Fedorchak stated this Agreement would allow for a development in Middletown Township to tie into Lower Makefield Township sewers. He stated the development is Matrix which has received Land Development Approval for 142 townhouses, and this is the development that would be tying into the Lower Makefield sewers. He stated this is part of the 140 acre Land Development Plan, and the Board of Supervisors gave approval for approximately 500 age-restricted houses to be located there. He stated the 142 unit townhouse development in Middletown is located directly west of what has been approved by Lower Makefield. He stated the easiest way to provide the Middletown Development with sewer service is to allow for the tie-in to Lower Makefield Township.

Mr. Stainthorpe stated this is a tie-in with Bucks County Water & Sewer, and Mr. Fedorchak stated this is their sanitary sewer system connecting to Lower Makefield. Mr. Stainthorpe asked if he should abstain from this matter, and Mr. Garton agreed. Mr. Garton added that Mr. Truelove was the attorney who reviewed this Agreement.

Mr. Dobson asked about any charges for these flows to Lower Makefield since it will be going through the Lower Makefield lines to get through to Bucks County's system; and Mr. Fedorchak stated it will be metered, and Middletown will be responsible for their flows. Ms. Tyler asked if there is sufficient capacity, and Mr. Fedorchak stated there is.

Mr. McLaughlin asked who would pay for any repairs or improvements needed to the shared portion, and Mr. Fedorchak stated on a going-forward basis there would be joint responsibility.

Mr. Zachary Rubin, 1661 Covington Road, asked if this development is the thirty-five acres that is located in Middletown; and Mr. Fedorchak agreed. Mr. Rubin asked if it has been approved by Middletown, and Mr. Garton stated it has Final Plan Approval. Mr. Rubin asked if it is age-restricted, and Mr. Garton stated it is not. Mr. Rubin stated the only access would be from Big Oak Road, and Mr. Garton agreed.

Mr. McLaughlin moved and Ms. Tyler seconded to approve the Agreement. Motion carried with Mr. Stainthorpe abstained.

APPOINTMENTS

Mr. Dobson moved, Ms. Tyler seconded and it was unanimously carried to re-appoint the following:

Lynn Carter –	Disabled Persons Advisory Board
Zachary Rubin –	Electronic Media
Kevin Treiber –	Emergency Management
James Bray –	EAC
Duane Doan –	Farmland Preservation
Douglas Riblet –	Farmland Preservation
Mark Fried –	Planning Commission
Keith DosSantos –	Zoning Hearing Board

Ms. Tyler stated that those who have applied for other vacancies will be interviewed prior to the next Board meeting.

There being no further business, Mr. Dobson moved, Mr. McLaughlin seconded and it was unanimously carried to adjourn the meeting at 9:45 p.m.

Respectfully Submitted,



Dan McLaughlin, Secretary

