

TOWNSHIP OF LOWER MAKEFIELD
HISTORICAL ARCHITECTURAL REVIEW BOARD
MINUTES – DECEMBER 12, 2023

The regular meeting of the Historical Architectural Review Board of the Township of Lower Makefield was held remotely on December 12, 2023. Mr. Heinz called the meeting to order at 6:06 p.m.

Those present:

Historical Architectural Review Board: Stephen Heinz, Chair
Jennifer Stark, Secretary
Jeff Hirko, Member
Mike Kirk, Member/Code Enforcement Officer

Others: Colin Coyle, Supervisor Liaison (joined meeting in progress)

Absent: Liuba Lashchyk, HARB Member

APPROVAL OF MINUTES

Ms. Stark moved, Mr. Hirko seconded and it was unanimously carried to approve the Minutes of May 9, 2023 as written.

Ms. Stark moved, Mr. Hirko seconded and it was unanimously carried to approve the Minutes of June 13, 2023 as written.

Ms. Stark moved, Mr. Hirko seconded and it was unanimously carried to approve the Minutes of August 8, 2023 as written.

Ms. Stark moved, Mr. Hirko seconded and it was unanimously carried to approve the Minutes of September 12, 2023 as written.

OTHER BUSINESS

Mr. Heinz stated he had sent in a number of requests to review other items including the state of other projects in the Historic District. Mr. Heinz asked Mr. Kirk to provide an update on the Pointe as he heard that it was being considered by the Board of Supervisors who had given them an Extension

until the end of December. Mr. Heinz asked that the Board consider if we should send a message to the Board of Supervisors about the approval of a Preliminary/Final Plan for the Pointe. He stated he feels when the Site Plan is approved it locks in certain relationships and sizes; and since HARB has not had a full set of Plans that shows “three-dimensionally or by facades” any of the information that we would normally consider in terms of the shape, window sizes, and the massing of the buildings and the relationship to each other, that we should ask the Board of Supervisors to grant Preliminary Approval so that we could then have another discussion with the developer since once it gets to Final phase it is unlikely that they will make any changes.

Mr. Hirko stated he agrees with Mr. Heinz adding that he does not know how they are “getting past us to begin with, but they have done it.”

Ms. Stark stated she feels there are things happening that HARB is not aware of.

Mr. Heinz stated the Board of Supervisors approved the barber shop sign despite the fact that the Applicant did not come back to HARB as he said he would for a final sign-off.

Mr. Heinz stated he sent an e-mail to Mr. Grenier the middle of last month about the approval process when the Board was considering the Pointe, and at that point they had asked for an Extension. Mr. Heinz stated he believes he copied the HARB on the e-mail. He stated in his e-mail he asked that the Board of Supervisors take the steps in the process that he has discussed. He stated he feels we should ask whoever controls the process that any proposed work in the Historic District go through all of the steps – the schematic design for the site, the Preliminary approval, and then come back to HARB for a review for the Final approval of the Site Plan. He added this does not mean that they have approval to do the actual construction. He stated usually by the time an Applicant comes back to HARB for the third or fourth time, they will have a solid plan with elevations and the other information that HARB might require.

Mr. Heinz stated he saw in one of the Minutes that he had indicated that he would be writing to Mr. Majewski and giving him an idea of what he considers the process should be. He stated while he did not do that, before the end of the year, he will do it. He asked the Board if we should ask for due consideration of each of the steps including Preliminary approval so that HARB can actually have the Applicants come back in and have further discussion. He stated the

changes that were made to the Pointe were acceptable to the Planning Board and the Zoning Hearing Board; and the Applicant did agree to removing and re-building the “Dougherty House.”

Mr. Heinz noted what was done at Flowers Field where they took down two houses along Stony Hill Road, one of which was supposed to be re-constructed. He stated the Residential portion of that site is already done, and it will be a lot harder to get them to fulfill their promises of re-building the one building that was removed.

Mr. Heinz asked the Board what they feel can be done to forestall future “lapses in any kind of oversight.”

Ms. Stark stated currently HARB does not have the authority to weigh in as it is not written into the Ordinance to be able to do what Mr. Heinz is asking for. She stated Mr. Heinz could point out the flaws in the current system and look for amendments and new procedures to be put in place, and we could approach the Township Manager, the Supervisors, and the solicitor to discuss this. She stated for the Pointe, the only thing she feels we could do would be to request a courtesy review and see if it would be granted even though we do not have any authority in this particular case because nothing has been modified to allow us to do that. She stated the Design Guidelines are for Applications for Building Permits, and it does not have anything to do with Zoning or even site development.

Mr. Heinz agreed but added that those kinds of things are definitely considered in other Municipalities. He stated New Hope in particular is “very adamant that whatever is coming down the line has to have a full approval from the HARB on every step.” Mr. Heinz stated he will do his best to lobby for this.

Mr. Hirko stated he agrees with Mr. Heinz. He stated he did not realize that HARB did not have authority to do certain things, and he feels we need to see if we can get back into some sort of process where Applicants come through HARB to have the proper approvals. He stated he feels they are “by-passing us and it does not matter to them.” He stated by not coming to HARB, it makes their process quicker. He stated he feels HARB should try to get something in place.

Mr. Kirk stated the only way to do that would be to go to the Board of Supervisors to get an Amendment. He stated HARB is only an Advisory Board. He added that they did work on a form on the new Permit portal that he could share with the

Board tonight. He stated there had been discussion about the process for Applicants including what HARB had indicated that they wanted to see; and he could share that with the Board this evening so that they could provide input as to what they did and did not want to see on the form.

Mr. Kirk showed a slide of the form. He stated a user name and password would be created when someone signs in. They would provide their information and their role which would be from the list provided. He stated the type of work and a description needs to be provided and a number of questions must be answered. He stated they are also required to provide architectural drawings, photographs, and a list of materials. He stated HARB had discussed in the past that there was lacking the type of the materials including the colors.

Mr. Kirk stated when the Township receives a Permit, it goes through Zoning first; and if they see that it is in the Edgewood Historic Village, the process stops until the Applicant fills out this form and goes through this process.

Mr. Heinz stated he feels this is a good start, but he feels it will take more time to consider it further. He asked that this be discussed more in the future either just by the Board or with the Township staff including Mr. Majewski.

Ms. Stark stated she feels there are other Municipalities that do this already, and she asked Mr. Kirk if he has gotten information about this from other Townships. Mr. Kirk stated they looked at Upper Makefield, Solebury, and New Hope Borough.

Ms. Stark asked if we could request actual samples from the Applicants or if this is no longer relevant since HARB does not meet in person any more. Mr. Kirk agreed that since there are no longer in-person meetings, they no longer request actual samples. He stated if HARB wanted to have something, he believes we could consider that. Ms. Stark stated there may be a request for an actual sample if it were a material the HARB members were not familiar with or something that could not be understood in a virtual situation. Mr. Kirk stated he would be willing to get samples and drop them off at the Board members' homes if there were such a situation. Ms. Stark stated they could also be available at the Township, and the Board members could go there to look at them.

Mr. Hirko stated he feels what has been shown is a great start.

Mr. Kirk stated he feels that as we use this form, we may find things that need to be changed in the future.

Mr. Heinz stated he feels at this point the question is the whole process as to the description that could be added to the current Guidelines that are in the Township building and posted on-line. He stated he would like HARB to have review at Preliminary “and not for final approval” similar to what was done “at the barn at Miller’s place” where we could have a positive impact on the process. He stated he feels there should be further discussion on this which could help Mr. Kirk with the entire process. He stated it could then be published in the appropriate places, and utilizing this format makes it simple and hopefully more expedient.

Mr. Heinz stated there was discussion about continuing education, and there is a training meeting tomorrow night which the Board has received notice of. He stated it will be held at 6:30 p.m. at the Township Building, and a representative from the State Office will be speaking. He stated continuing education is required of HARB.

Mr. Heinz advised Mr. Kirk that it seems that the historic tree outside of the barn at the Prickett site is no longer there. Mr. Kirk stated he believes it is still there, but it is blocked by the dirt pile.

Mr. Coyle joined the meeting at this time apologizing for his delay.

Mr. Heinz stated he feels the buildings on the Pointe are degrading further, with pieces of siding are missing, and the porch on the corner building is almost non-existent. He stated he is not sure how HARB can deal with this, but he feels we should make note of them and ask that they be dealt with by the appropriate personnel. Mr. Heinz stated if HARB gets “some say about what happens with Troilo,” he would hope that they do not get their Final approval unless there is a commitment that the work on the buildings that are historic is well underway before he begins construction of anything else. He stated we do not have “any hold over him once they get started and get the things constructed that they want to have constructed, and we are stuck, and do not have enforcement.”

Mr. Coyle stated the Pointe did receive Final approval at the last Board of Supervisors meeting. Mr. Heinz asked if it was not Preliminary approval that was given, and Mr. Coyle stated the Board approved Preliminary and Final. He stated while they are clear to move forward, we can talk to

Mr. Majewski about reaching out to them and encouraging them to start with some of the historic restoration work and get the Plans in front of HARB sooner than later. Mr. Heinz stated he had made a point with Mr. Grenier about a process that the Board had. He stated that it seems that there is no opportunity for HARB to have any further say in it, adding that major changes were made since the HARB last had a meeting with the developer about what was going to be built including the re-location of almost every building and the drive-through from Yardley-Langhorne to Edgewood Road that provides a throughway that by-passes the corner. Mr. Coyle stated they have agreed to designate that as an emergency-access only, and they will plant some form of greenery to make it clear that this is not actually a driveway for everyday use.

Mr. Coyle stated the Board of Supervisors had contemplated Preliminary approval at the last meeting; however, the builder felt that they had engaged everyone and also offered to convert the parking lot from asphalt to pervious pavement in exchange for Final approval; and that meets our stormwater goals and was something that the EAC had been asking for. Mr. Coyle stated they still need to come before HARB with their Plans, and we could reach out to them to find out how quickly they intend to do that.

Mr. Heinz stated the HARB had earlier discussed their concerns with giving “leeway to the actual construction requirements for things like restoration, re-building, etc.” He stated there were promises made with Flowers Field for the two houses in the Historic District on Stony Hill Road. He stated one of them was “hardly worth worrying about; but the other one was something that they had promised to re-build, and that has not yet been done after almost ten years.” He stated he is personally very concerned, and he brought it up earlier that we need to have some kind of “progress on the actual restoration on the two buildings at the Pointe.” He stated as far as the Demolition Permit that was on the “Dougherty House,” that was never agreed to by the HARB. He stated there was never a formal vote or a formal approval on that. Mr. Heinz stated if the Supervisors want to offer the Certificate of Appropriateness without the advice and consent of HARB, “that is something that they have done in the past, and sometimes it works out and sometimes it does not.”

Mr. Coyle asked Mr. Kirk if we have a hold through the construction process that we can negotiate from if necessary, and Mr. Kirk stated we do not if they have already received approval of the Plans.

Mr. Kirk stated earlier he had mentioned that HARB is an Advisory Board, and HARB was asking for more say in what happens with certain projects; and they had indicated that certain Applicants have been able to “skip over HARB and go to the Board of Supervisors.” Mr. Kirk stated he had advised them that process would need to be changed by the Board of Supervisors with an amendment to Ordinances.

Mr. Coyle stated he is on the Planning Commission, and it is similar in that sometimes the developers are able to move past the Planning Commission a little quicker than we would like. He stated we do not have a lot of authority under the Ordinances and the Commonwealth Law to put a hold on something or slow it down, and we do not have much room to forcibly negotiate. He stated this is something that could be discussed in the future. He stated he will advise the Board of Supervisors of HARB’s concerns about promises made by Flowers Field which are not necessarily being fulfilled. Mr. Coyle stated he will also look into the matter of the advisory nature of HARB and see if we may be able to “strengthen the teeth” and make sure that HARB signs off on the architectural before the Board of Supervisors gives them the okay.

Mr. Heinz stated he noticed that the office building across the street from McCaffrey’s that was originally reviewed and discussed for months with HARB has now had a new coat of paint that “belies the historic aspect of the building.” He stated it is right across from our Historic/Commercial gateway. He stated he does not know if the Supervisors were aware of the fact that Mr. McCaffrey had made a commitment to have Plans reviewed for that site, although it might not to have been in perpetuity. Mr. Heinz stated that was twenty-five years ago when he was on HARB. He stated he feels the stonework is on there because of the insistence of HARB.

Mr. Heinz asked that Mr. Coyle pass along HARB’s report and suggested that Mr. Coyle review past Minutes.

Mr. Hirko asked if the empty CVS building belongs to Mr. Troilo. Mr. Heinz stated his wife had suggested that Mr. Troilo may want to take down the CVS and put houses there or make it a Post Office. He stated she is a historian and really adamant about preserving Edgewood Village. Mr. Kirk stated it is Troilo who owns that building.

Mr. Kirk asked that the HARB members review the form that was shown earlier and let him know what they may want to see added or taken out.

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There being no further business, Mr. Kirk moved, Mr. Hirko seconded and it was unanimously carried to adjourn the meeting at 6:48 p.m.

Respectfully Submitted,

Jennifer Stark, Secretary