

Jim Majewski
Township Planning and Zoning Director
Lower Makefield Township
1100 Edgewood Road
Yardley, Pa. 19067

March 29, 2024

**Re: Preliminary Plan for the Fieldstone-Harris Tract Subdivision
T.M.P. 20-016-073 & 20-016-073-002**

Dear Mr. Majewski:

The Lower Makefield Township Environmental Advisory Council (EAC) has completed its review of the Preliminary Plan for the Fieldstone-Harris Tract Subdivision.

The proposed subdivision borders Edgewood Road to the south. Brock Creek runs along the southeast boundary of the site. Resource protected land includes flood plains, wetlands, stream/wetlands buffer, steep slopes, and woodlands. The 39.2 acre site is divided into two lots.

Lot #1 is 21.9 acres and the location of 29 proposed new homes. There will be two new access roads onto Edgewood Road to service these homes. The house lots will range from 0.27 acres to 0.59 acres in size. Three open space parcels proposed on Lot #1 (0.86 acres, 2.3 acres, and 0.5 acres in size).

Lot #2 is 16.1 acres and contains a former landfill/dump site. The Applicant is working with Pennsylvania Department of Environmental Protection (PADEP) to remediate the existing contamination under Act 2. This environmental assessment and remediation is an ongoing process and the final environmental impact assessment is not completed at the time. There is no development proposed on Lot #2.

The following submissions were reviewed:

- Preliminary Plan for the Fieldstone-Harris Tract Subdivision, 37 sheets (February 9, 2024)

Below are our comments on the submitted plan.

1. Use of Cluster Development and Percentage of Protected Natural Resource Land – Lot #1

a. The site capacity calculations on sheet 2 (D - Site Capacity with Recreation Land and E - With Fee in Lieu of Recreation Land) – These calculations are based on the open space cluster development performance standards. The

ability to use the open space cluster development option requires that at least 51 percent of the base site area remain resource protected land and open space after development,

As stated in a note on sheet 2, "Lands within Lot #2 are being deducted for net buildable site area and density calculations." Therefore, only the remaining natural resource land and open space in Lot #1 after development should be used to determine if a cluster development can be done on Lot #1. The open space in Lot #2 (specifically, the 16.09-acre Open Space #3) should be excluded.

b. Sheet 2: B. Natural Resources Land to be Protected and Percent of Base Are in Resource-Protected Land - Only land on Lot #1 was used for the calculation of net buildable site area and dwelling unit density calculations. The land in Lot #2 was not included. Therefore, only the natural resource land in Lot #1 should be used in determining the percentage of natural resource land that is protected after development. This table currently includes land from both Lot #1 and Lot #2.

2. Site Capacity Calculation – Lot #2

If any site capacity calculations are submitted that include Lot #2, they must account for the limitations in Chapter 200-52(A)(1)(b). This section states that when calculating the base site area, the following must be subtracted from the gross site area:

"Land without development opportunities due to restrictions such as restrictive covenants and conservation easements".

It is anticipated that after completion of the Act 2 remediation of the landfill on Lot #2 there will some type of restrictive covenant on the property.

3. A Different Access Road Waiver Should Be Requested

Section 178-43(D) of LMT ordinances requires that two local streets not intersect the same side of a collector street at intervals of less than 800 feet. The applicant is requesting a waiver from this requirement. They have proposed two access streets to/from the new development that will intersect Edgewood Road separated by only 540 feet. Their justification for the waiver is that two access roads to the proposed development are needed.

We recommend this waiver be denied. The applicant should instead request a waiver from Chapter 178-44(K). This ordinance requires new residential subdivisions containing 25 dwelling units or more have a minimum of two public street entrances from public roads.

For the following reasons a waiver from 178-44(K) should be requested:

- A. The amount of traffic the 29-house development will generate can be easily accommodated by one access road. When estimating trip generation from various land uses traffic engineers use the Institute of Transportation Engineers (ITE) *Trip Generation Manual (11th Edition)*. In that document there are traffic projections for the Land Use 210 (Single-Family, Detached Housing). It predicts that the maximum number of vehicles entering and leaving the development at any time would be 29 vehicles per hour. That means that at most there would be roughly one vehicle entering or leaving the development every two minutes. This 29 vehicle per hour maximum is predicted during the weekday p.m. peak period. At all other times vehicle trips would be less. One access road could easily handle the traffic demands of this development.
- B. Having only one access road to the development means there will be less impervious surface and therefore less stormwater runoff.
- C. The existing row of 24 mature white pine trees along the current property's driveway to Edgewood Road could be preserved with only one access road. This would not happen with two access roads. The developer would also benefit because the replacement tree fee will be lowered.

An emergency entrance to the develop from Edgewood Road could be placed in the northeast corner of Lot #1 where the utility easement is located.

In summary, the EAC would support a requested waiver from Chapter 178-44(K) but not from 178-43(D).

4. Calculation of Existing Woodlands

Chapter 200-51(B)6 defines woodlands as follows:

A woodland is one-quarter acre or more of wooded land where the largest trees measure at least six inches diameter at a height of 4.5 feet from the ground and the associated intermediate layers in these areas, including the understory shrubs and smaller trees, the ground layer of herbaceous plants and the forest floor.

Sheet 2 of the submitted plans (Existing Resources and Site Analysis Map) shows the applicant's determination of the site's existing woodlands. Per the Township's definition above, observations at the site indicate there are additional areas of Lot #1 need to be designated as woodlands.

Outlined in red in the photo below is the area we believe qualifies as woodlands (there may be others). This area meets the specific woodlands definition:

- trees 6 inches or greater in trunk diameter (though most trees in the area are less than 6 inches in diameter, there are many 6 inches or more in diameter. The largest is almost 12 inches in diameter).
- an understory of shrubs and smaller trees,
- a ground layer of herbaceous plants and forest floor,
- the estimated size of this woodlands is at least 2 acres.

These woodlands need to be shown on Sheet 2 “Existing Resources and Site Analysis Map” and included as woodlands in the resource protected land calculations.



5. Waiver from Replacement Tree Requirement

Section 178-85.H(4)(a) requires trees of 10 inches caliper or more which are proposed to be removed be replaced with replacement trees. The Applicant is requesting a waiver from this requirement. They propose planting 225 replacement trees on-site instead of the 429 replacement trees required by the ordinance.

The justification for the waiver is that there is inadequate space on-site for planting the additional 204 replacement trees. We do not agree. There are many locations where additional trees could be planted. For example, planting trees behind lots 16, 17, and 18 near the boundary of Lot #2 to help separate these lots from the remediated landfill. Also, trees could go in and around stormwater

basins #1 and #3 and in the landscaped areas in the center of the two cul-de-sacs.

6. Environmental Impact Assessment

No Environmental Impact Assessment (EIA) has been submitted. Chapter 178-20(G) requires an EIA be submitted as part of the Preliminary Plan. In the Applicant's submittal letter they stated the environmental assessment of Lot #2 by PADEP is an ongoing process and "the Applicant will submit the final environmental impact assessment at the time of completion of this process."

Review and approval of the Preliminary Plan by the Township cannot be completed until an EIA is received.

The Project Leader for this evaluation is EAC member Alan Dresser. Thank you for your attention to this matter.

Sincerely,
LMT EAC

C: Matt Ross, BOS
Dan Grenier, BOS
Isaac Kessler – Township Engineer (RVE)
LMT EAC