

TOWNSHIP OF LOWER MAKEFIELD
PLANNING COMMISSION
MINUTES – DECEMBER 9, 2024

The regular meeting of the Planning Commission of the Township of Lower Makefield was held in the Municipal Building on December 9, 2024. Mr. Bush called the meeting to order at 7:30 p.m.

Those present:

Planning Commission: Tony Bush, Chair
Tejinder Gill, Vice Chair
Colin Coyle, Secretary
Adrian Costello, Member
John DeLorenzo, Member

Others: James Majewski, Community Development Director
Dan McLoone, Planner
Maureen Burke-Carlton, Township Solicitor
Pat Foley, Township Engineer
John Lewis, Supervisor Liaison

APPROVAL OF MINUTES FROM THE 10/30/24 MEETING

Mr. Coyle moved, Mr. DeLorenzo seconded and it was unanimously carried to approve the Minutes from the 10/30/24 meeting.

TRINITY REALTY COMPANIES SKETCH PLAN

Tax Parcel #20-032-001

C-3 General Business/Industrial Zoning District

136 Old Oxford Valley Road

Proposed 16 single-family attached dwellings in an Age-Qualified Community

Eugene Umansky, representing Trinity Realty Companies, Feasterville, PA and Mr. David Brosso, from D. R. Horton, Eastern PA office, were present.

Mr. Umansky stated this is a roughly 3.5 acre tract at 136 Old Oxford Valley Road located behind the Toll Bros. community. He stated they are proposing 16 twins and townhomes in the C-3 Zone. He stated this allows Residential in the form of an Age-Qualified (over 55) Community like the Toll Bros. community which has the same Zoning. He stated they are for the most-part a by-right

Plan, although they will require a Variance for mix of uses. He stated the C-3 Code for Residential has a limit on what percentage of the homes can be a certain type – single-family detached or attached homes. He stated their Plan is a collection of twins and townhomes so a Variance might be required for how the homes are presented in terms of all being attached. He stated other than that, he feels it is a by-right Plan, although it does have to be vetted through engineering as this is a very preliminary Sketch Plan to see how many units the site can yield while conforming to all other dimensional requirements.

Mr. Umansky stated they have gone through a couple of iterations of the Plan after having an informal meeting with Mr. Majewski and representatives of the Toll Bros. HOA. He stated that is reflected on this Plan in the form of street width, buffering, and preservation of certain older trees.

Mr. Brosso stated his role with D. R. Horton is land acquisition, and he looks at parcels and ways to develop things that comply with what his company is asking him to find. He stated while doing this, he comes across parcels that have varying uses and sometimes they require major re-Zoning, some are by-right, and sometimes they are in the middle. He stated in this case, it is a very interesting Zoning District as it is a Commercial District and permits uses such as mobile homes, warehouses, light manufacturing, and some other uses that are attractive right now; however, also in Section 31 in Permitted Uses in the C-3 District, it indicates Age-Qualified Community. He stated when they looked at the different permitted uses for this parcel and the proximity to what it is adjacent to, they felt that an Age-Qualified Community was the best value for the property, although Warehousing and Mobile Homes might have a higher value. He stated given where it is located, they liked the parcel for an Age-Qualified Pocket Community.

Mr. Brosso stated they created a preliminary Sketch Plan to see what the yield would be conforming to all of the Zoning setbacks and requirements. He stated they had a cartway which was too narrow, and they had to widen it; and they are still working on the Site Plan and have not submitted anything formally to Zoning. Mr. Brosso stated they met with the Toll Bros. community next to the property to advise them what they were proposing, to get their feedback, and to see if there was something they could do to make it more appealing and blend in with the character of their community. He stated they continue to have that dialogue, and they are happy to hear their comments. He stated they have made some changes based on the feedback they have received.

Mr. Bush asked about the feedback from the Toll Bros. community residents. Mr. Brosso stated they asked about stormwater management; and while they do not yet have a “proper engineering Plan,” the Code says that they must improve the stormwater management from what currently exists, and they will capture and control the stormwater better than it is now. He added they have not done any perc tests or infiltration testing, and they do not know what types of pits they will use or how the stormwater will be controlled; and the engineers will determine that.

Mr. Brosso stated they were also asked by the residents how the proposed houses will compare with the houses that exist in the Toll Bros. community. Mr. Brosso stated they are all Age-Qualified houses and the master bedroom would be on the first floor. He stated the Toll community has bigger units and will garner a higher price in the market, and their proposed houses are a little smaller and “less fancy” so it will be marketed at a slightly lower price. He stated the feel and look would be very similar to the existing Toll Bros. community and the Ryan community also in the area.

Mr. Brosso stated their parcel is not large enough to provide for any major amenities such as pickleball courts, pools, or a club house that are often in an Age-Qualified Community; and this is why he called it a Pocket Community.

Mr. Brosso stated the other major concern expressed was how long this will take since construction is a disruption. He stated D. R. Horton builds one of these houses in six months, and they generally phase them in. He stated once the land development is completed, including curbs, sidewalks, stormwater management, sewers, and gas lines are in they can start construction; and that should not last twelve months. He stated the land development could take six to nine months so the total time should be eighteen months. He stated they are thinking that they would stage it in in such a way that on the border between this community and the Toll Bros. community they would buffer it in as best they can. He stated if the engineering specs out, they would create an earth-type berm to raise the profile so the sight lines would be different. He stated this would also create a noise barrier and a barrier for water. He stated they could then plant their greenery at a little higher elevation. He stated this would create a visual separation between the two communities. He stated they believe that they can install the landscaped buffer at the onset of the project so that it can begin to mature before construction starts.

Mr. Brosso stated they propose to put the cartway closer to the Commercial property that is adjacent to their parcel and as far away as possible from the Residential property to create space and buffering and make for a more aesthetically-appealing set up. He stated usually you want a double-sided cartway with houses on both sides of the street, but this is such a long, narrow parcel that it is not set up that way. He stated there will therefore be a single-loaded cartway, and they had to pick a side of the lot to put the cartway on; and they chose to put it on the side closer to the cell phone tower to push it as far away from the Toll Bros. community as possible.

Mr. Brosso stated they like to maintain mature trees as best as they can; and the Plans show existing trees, although the lot is fairly clear and almost a meadow. He stated there are a few trees which they would hope to retain as part of the Landscape Plan by looking at the health and quality of the trees.

Mr. Coyle asked Mr. Brosso if they have considered putting a cemetery on this plot of land, and Mr. Brosso stated they have not. Mr. Coyle asked if they considered a funeral home, and Mr. Brosso stated they did not. Mr. Coyle asked if they considered light manufacturing, and Mr. Brosso stated while they did consider that, they decided not to pursue that. Mr. Coyle stated they are not proposing other uses, but rather are proposing 16 homes on this property. Mr. Coyle stated he does not believe that anyone will come into the Township trying to build a mobile home park on 3 ½ acres.

Mr. Coyle asked Mr. Brosso why they are proposing to mix twins and town-homes on the lot. Mr. Brosso stated the Ordinance requires a mix of housing stock, which he interpreted as single-family attached, semi-detached; and in their Plan the attached and semi-detached is the best use of this housing stock called the Taylor Model that D. R. Horton has built and manufactured in other communities. He added that the geography of the parcel is such that they determined that in order to get 16 units on the parcel, the best use was a combination of “four gang” townhouses and a couple of twins.

Mr. Coyle asked if they anticipate a Variance will be needed with regard to the cartway and choosing which side of the lot to place it on. He asked if he anticipates a Variance on the buffer between a setback for the cartway or is that just an illustration of why they have placed it where it is shown. Mr. Brosso stated he hopes that the engineer looked at the setback of the cartway and adhered to the current Code, but he does not see a measurement so he cannot speak to that. He stated he assumes that whatever test fit they did, they looked at the required setback and adhered to what the requirement is.

Mr. Coyle asked the purpose of the large impervious surface of the circle past the properties. Mr. Brosso stated it is so a fire truck can get in and out without backing up, and the Fire Marshall will most likely require that. He stated as developers they see them as necessary evils, and they would be in favor of removing it if they could. He stated it is a permitted design that is used quite often, although they do not like to do it “unless they are painted into a corner with the geography and nature of the development.”

Mr. Coyle asked if the intent is for these 16 homes to have their own HOA that would be responsible for the street and not to attempt to join the HOA for the neighboring community, and Mr. Brosso stated this development would require its own HOA. Mr. Coyle asked if he believes that 16 properties are enough to contribute enough HOA funds to make sure that the Township would not eventually have to take over maintenance of that road; and Mr. Brosso agreed adding that he lived in a 16-townhome community in Hatboro which had no amenities. He stated they had a street with private trash pick-up, and it was very similar to this. He stated they would not anticipate dedicating the street to the Township; although if the Township wanted to take it over, they would be happy to have the Township do that.

Mr. Coyle stated there have been adjustments made to Zoning in the last few months, and he asked Ms. Carlton if warehousing is still a by-right Use or is it a Conditional Use at this point in C-3. Ms. Carlton stated she does not believe the latest changes in the Ordinance effected the C-3 District. Mr. Coyle stated he is also not aware of any modern warehouse being built that would fit on a 3.5 acre lot.

Mr. Gill asked what is on the property now, and Mr. Brosso stated there is a single-family residence that has been built and added onto throughout the Century. Mr. Brosso added that it is not historic and does not have any historical relevance. He stated it is on well and septic. He stated there is a gentleman who lives there “that probably does not want to live there much longer.” Mr. Gill stated he assumes that part of the property where the existing house is located is Residential and where the new houses will go is Commercial. Mr. Brosso stated the existing house is a non-conforming use, and the property is entirely within the Commercial parcel.

Mr. Majewski stated the exact age of that house and the nature of it being historic or not has not been determined. He stated it did appear on the 2007 Historical Resources Survey as being potentially a house from the early 19th Century; but until they look at the house including the inside and do

some research, they will not be able to ascertain as to whether or not it has any historic significance. Mr. Brosso stated he has not been in it. Mr. Bush asked if that existing structure has access to the existing Toll Bros. development, and Mr. Brosso stated it does not. Mr. Brosso added that the existing house is only accessed through a gravel cartway which he showed on the Plan. He stated it does follow their proposed cartway somewhat. He stated it is better than a dirt road, but it is not an asphalt driveway.

Mr. Bush stated from looking at the Sketch Plan it does not appear that there is a sidewalk proposed; and Mr. Brosso stated while it is not shown very well, there is a sidewalk in front of every person's front door and driveway so there is a sidewalk along the cartway. He added that there is also a sidewalk along the frontage of Old Oxford Valley Road, but they would need to get some right-of-way and an Easement to connect it to the existing walking trail. He stated they want inter-connectivity to tie everything together. Mr. Majewski stated that adjoining property is owned by the Township, and it is the five acres that was dedicated to the Township as part of the Matrix Development.

Mr. Coyle asked if it would be sidewalk in front of the proposed homes and then transition to a material that would match up with the walking trail. Mr. Brosso stated on their parcel it would be concrete sidewalk and they then would try to blend it to the existing trail as they traverse the Township's property.

Pictures of the proposed buildings were shown. Mr. Brosso stated they are photos of a community that is currently being built. Mr. Brosso stated this is the Taylor Model which D. R. Horton builds throughout the Country. He stated they can be seen on the Dr. R. Horton Website with pictures of this product from across the Country. He stated the master bedroom is on the main floor. He stated the house is 28' wide by 60' deep. He stated it creates 2,170 square feet as a general base product, and there are options to add square footage within the footprint on the upper floor. He stated it is a three-bedroom lay-out, and it can be built with or without a basement. He stated they have not done any perc testing at this site so they do not know what the underlying soils are. He stated basements are a great add to the value of this type of product, and they tend to build them with basements. He stated if you take the two-car garage out of the footprint, there is still a lot of room underground to provide an appreciable basement underneath the building. He stated it has been a successful product. He stated the Toll Bros. community is "next level;" and what they are proposing is a nice product, but it is not as "fancy" as the Toll Bros. design. He stated it is a great product for this type of use for a 16-unit community, and it looks great and sells really well.

Mr. Marty Birkhofer stated he and his wife live at 75 Lavender Drive. He stated a number of his neighbors have been following the development around the sale of this parcel for several months. He stated their concern is to preserve and improve the value of their properties and to protect their quality of life which is “quite nice” after the conclusion of about four years of construction by Toll Bros. He stated they have had several meetings with representatives of Lower Makefield and with the gentlemen from D. R. Horton and Trinity where they have been able to air their concerns. Mr. Birkhofer stated their original intent with approaching the Township was to see about preserving that property as open space; and when they learned that was probably not feasible because of the sale, it was obvious that the lesser of two evils is a Residential development and not a Commercial development.

Mr. Birkhofer stated D. R. Horton is the largest home builders in the Country and has been so for the past twenty-one years. He stated last year they generated \$35.5 billion in revenue, and they did not do that by building 16 townhomes at a time. He stated they did that by building communities that are ten times this big, and the residents cannot help but believe that there might be a secondary plan to try to acquire additional properties and build something much larger than was projected on the screen this evening. He stated he feels it is incumbent on the Committee to understand what the “real end game is,” and whether or not there is a plan to do something much bigger. He stated if there is, the residents would like to re-introduce the concept of open space in the southern part of the Township where it is really needed for everyone’s benefit.

Mr. David Nashik, 55 Lavender Drive, stated he agrees with the previous speaker. He stated stormwater management is a critical issue especially for those who live on Lavender Drive considering the significant elevation difference between the property for sale and the Regency community that ranges from a few feet up to about 8’ to 10’. He stated the entire property is angled toward the Regency community. He stated they would like to insure that whatever Stormwater Management Plan that will be provided will prevent any run-off into the back yards and basements of the Regency properties located on Lavender Drive and the other effected areas. He stated they are also aware that LMT is drafting new Stormwater Management Ordinances in anticipation of potentially more severe weather conditions in the future and increased development density. He asked if this proposal will meet the new requirements set forth by LMT. He also asked if their Plan will have adverse effects on the environment or wildlife as currently there is a lot of wildlife on that property including eagles, foxes, and deer.

Mr. Nashik stated the sub-surface stormwater management system that is beneath the street adjoining the property to the south which is located at 135 Old Oxford Valley Road is almost on top of that property, and he asked if the placement of the system will require a Variance from LMT to meet property line setback requirements. He showed the location on the Plan. Mr. Majewski stated there are requirements on setbacks from stormwater management facilities to adjoining properties, and they will have to take that into account. He stated the Township engineer had looked briefly at the Plan and had some comments.

Mr. Foley stated stormwater management needs to be considered. He stated the underground stormwater basin is proposed within the private street, and he asked about the plan for the sanitary sewer and water service. He stated he feels that the placement of the stormwater basin will need to take that into consideration. He stated his office is familiar with the area and stormwater and drainage is a problem, and they will be looking at that on the formal Application.

Mr. Foley stated with regard to the sidewalks, they would like to see continuous sidewalk even though there is no connectivity at this point; and they should have an additional sidewalk, crossing, and ADA ramps at the private drive at the connection to Old Oxford Valley Road.

Mr. Foley stated they are also concerned with guest parking for this development. He stated the proposed street is 26' wide, and it seems that there are enough spaces for on-lot parking outside of the units to be two. He stated for this type of facility, they would be looking at an off-street parking lot and/or consideration of widening the private street and have parking on the south side of the private street as well for residents or visitors. Mr. Brosso asked if he is looking for this parking to be on Old Oxford Valley Road; however, Mr. Foley stated it would be parking on the private street. He stated currently it is proposed to be 26' wide, and local roads are required to be 36' wide; however, since this is private, they should coordinate with the Fire Marshall for access and possibly provide parking since currently there is concern as to where visitors could park.

Mr. Foley asked if there will be a centralized mailbox, and Mr. Brosso stated there will be clustered mailboxes on Old Oxford Valley. Mr. Foley asked about trash pick-up, and Mr. Brosso stated that would be private and the trash truck would come down the cartway. Mr. Majewski stated most likely they would have the HOA have one vendor pick up all of the trash, and Mr. Brosso agreed.

Mr. Foley stated with regard to the driveways, the sidewalk would be up along the curb line and this would appear as mostly depressed curb, and they would like them to look into adding the 5' grass strip and push the sidewalk further away from the curb as there is a little bit of room to the north on the setback line so that there could be a little bit more additional frontage to provide sidewalks off the curb line.

Mr. Foley asked their proposal for recreation land that they are depicting on the west side of the property. Mr. Brosso stated it is undetermined but he feels it might be a bocce court as there is not a lot of space. Mr. Foley stated once that is further developed, he would recommend extending the sidewalk back to that recreation area since currently it is shown as stopping at the units.

Mr. Foley stated since this is a dead-end road, they need to coordinate with the Fire Marshall if there is a need for a secondary emergency access. Mr. Brosso stated they looked at how Cypress Way abruptly ends and did not know if that would be amenable to everyone to try to create some kind of connectivity to give the residents at the end of Cypress Way another egress as well as create a better flow for everyone. Mr. Majewski stated with regard to emergency egress in speaking with the Fire Marshall, it would not have to be a paved roadway; and it could just be a stabilized grass area that would look natural and have a gate up so that people could not go through it.

Mr. Majewski stated that in the event of an emergency, emergency equipment could get through. He stated that would need to have the approval of the Regency HOA who owns that strip of land in between the end of Cypress Way and this property.

Mr. Coyle stated if Regency is amenable, since we have flooding problems in the Township, if there was an emergency egress accessible only to the Fire Department that would be better than the "giant slab of asphalt at the end of the proposed development." Mr. Umansky stated that would be in lieu of that turn-around in the proposed development for the fire truck and could be accessed from both streets, and Mr. Coyle agreed.

Mr. Steven Young, 67 Lavender Drive, stated they met with Mr. Umansky and Mr. Brosso about what could be done; but they are looking for more than just a verbal agreement/verbal plan. He stated this property is adjacent to the back of all of their properties, and he asked if the representatives present this evening could reiterate their commitment and the specifics

about the berm, its dimension, the potential plantings that would go there, and the spacing. He stated the landscaping is critical in creating an adequate buffer for noise, dust, and light pollution.

Mr. Brosso stated what is shown on the Plan was drawn by a land engineer, and as part of the process a landscape engineer would be brought in to revamp the plan. He stated the buffer shown on the Plan presented tonight is just for illustration, and it would need to be fully vetted and thought through as to what is the right product, size, caliper, etc. He stated there is also other landscaping that has to be on the site that is not depicted on the Plan being shown including shade trees, street trees, and other buffering around the homes; and as part of the Development Plan, there will be a full Landscape Plan that must be submitted to the Township's engineer and signed off on. He stated the developer would then have to adhere to that Plan. He stated they can share that in advance to the residents since they have concerns about the landscape buffering.

Mr. Jack Cullen, 99 Lavender Drive, stated during a previous meeting with the representatives, they indicated that 16 units is something that they rarely do. Mr. Brosso stated that was probably more true at one point in time than it is today. He stated he just signed a deal to do a 9-unit subdivision in Montgomery County. He stated in Montgomery County and Delaware County there are not a lot of large projects left so development is now in-fill, which are smaller parcels that are available. He stated in New Jersey, they even taking down one house and putting up one new house in that space.

Mr. Cullen stated also during the meeting, Mr. Brosso discussed a five-acre property which Mr. Cullen showed on the Plan. Mr. Brosso stated they can see that on the public records, but he has not discussed that with anyone. Mr. Cullen asked if they have had discussions with the owners of the trucking company across Old Oxford Valley, and Mr. Brosso stated they have not although he believes that is owned by the same people that own the parcel Mr. Cullen just noted. Mr. Brosso stated they would not be interested in the trucking company property at the present time. Mr. Cullen asked if it might be of interest to them if the 16-unit Plan was approved. Mr. Brosso stated that is a fully-developed Commercial parcel that they would not look at. Mr. Brosso stated there are places in Bucks County that are less developed which would be better places to direct their efforts than a fully-developed Commercial Lot which does not lend itself to a Residential development. He stated he does not know what has been taking place at that location and hopefully there are no environmental concerns, and it is not a location that they would consider looking at.

Mr. Cullen stated the residents are very concerned about the southern portion of the Township; and if something beyond 16 units came into play which is still possible, they would hope that if this became a bigger project that the Township would give serious consideration to open space for that area in the southern portion of the Township to benefit all the residents of the southern portion of the Township.

Mr. Cullen stated next on the Agenda, the Planning Commission is going to consider historical preservation. He stated there is a farmhouse on the property being discussed which he believes that it was built in 1804. He asked that either the Trinity or D. R. Horton representative discuss how they would comply with that proposed Ordinance. Mr. Brosso stated he has not read the proposed Ordinance, and that is not his area of expertise. He stated they would have to adhere to any Ordinance requirements. Mr. Majewski stated the draft of that Ordinance is available on the Township Website. He stated they have been working on it for several months, and it will be presented to the Planning Commission this evening. He stated it has been vetted by our Historical Commission, the Township solicitor, and Township staff. Mr. Majewski stated it is meant to apply to older homes, which this one appears to be.

Mr. Steve Cargo, 35 Fern Drive, expressed concern with regard to the issue of prices and the potential impact on certain homes in Regency which he showed on the Plan. Mr. Coyle stated the homes Mr. Cargo is referring to are the homes on the north side of the proposed property which are the homes on the south side of Lavender Drive. Mr. Cargo stated there are 32 homes on that side of Lavender Drive, and those were sold by Toll to buyers from May, 2019 to October, 2022. He stated at the time of sale, 2 of the homes were sold for over \$1 million, 13 of the homes were sold for prices between \$800,000 and \$1 million, and nearly 50% of the homes were sold for more than \$800,000. He stated 10 homes were sold for \$700,000 to \$800,000 and there was an average selling price for all 32 homes of nearly \$800,000. Mr. Cargo stated subsequent to those purchase dates many homeowners there have substantially upgraded their homes with finished basements. He stated there is information on the Internet with regard to the average price of homes in Zip Code 19067; and between December, 2021 and this month, the average home price in that Zip Code has increased by nearly 40% and went from around \$400,000 to almost \$600,000, which is a very substantial increase. He stated it is not unreasonable that the initial average of \$800,000 in Regency is in the magnitude of \$1 million today. He stated the difference is \$1 million to \$700,000 to \$750,000 for the proposed new homes.

Mr. Cargo stated when homes are valued for re-sale, the Realtors will use those comparables to establish the values of the Regency homes. He stated he does not believe that what is proposed is a step that will maintain the value of the community. He stated he feels that D. R. Horton would have the capability to upscale and build homes of comparable value as they could make as much or more money. He stated looking at the proposed development, he views them as row houses like are seen in Philadelphia; and while Regency has attached buildings, they are not “cookie-cutters.” He stated every building in Regency has a different mix of houses and different roof lines. He stated what is proposed is not consistent with Regency, and “is a neighbor that he personally does not want in this form.” He stated he believes that it is very detrimental to the entire Regency at Yardley community.

Mr. Coyle asked Mr. Brosso if he could share his target price point. Mr. Brosso stated they are very early on. He stated when he presents a proposal to his company for approval he cannot present a “grandiose model that says market trends are going to go through the roof,” and he has to present a realistic/conservative model. He stated when he benchmarked the pricing for these homes, he had to assume we are “facing headwinds” and not having price appreciation. He stated when he indicated that the pricing for these homes is \$700,000 to \$740,000, that is the most conservative number that he can underwrite and still make this project appealing to his company. He stated in reality, he believes that the homes will be worth a lot more and have more potential for upgrades. Mr. Coyle asked if the \$700,000 to \$740,000 includes the average price after customization options or is that the base model; and Mr. Brosso stated that would be the bare bones, entry-level price. He stated what anchored the data, and what is hurting them here is that there is not much re-sale in the Toll Bros. community. Mr. Cargo stated there was a sale within the last six weeks where the home was on the market for less than two weeks and sold for \$875,000. Mr. Brosso stated there is a lot of time between now and when they can break ground and other data will come to light. He stated if the market trends continue and there is value that is not shown in the data from the Toll Bros. community, they will be able to benchmark their pricing. He added that their proposed house is smaller so there is a market differential.

Mr. Cargo asked why they do not build bigger houses, and Mr. Bosso stated not everyone can afford a \$1 million house. Mr. Cargo agreed that there are different buyers for different homes; however, this development will impact the value of an existing community very detrimentally. He stated there are several developments in the area where they are selling homes for more than \$1 million up to \$2 million. Mr. Brosso asked what type of homes he is

speaking of; and Mr. Cargo stated there is a development along the Newtown By-Pass where they built zero lot line, relatively large homes with three to four bedrooms, and they started at \$1 million, and he believes that they are sold out. Mr. Brosso asked if they are 55 active adult communities; however, Mr. Cargo stated he doubted it since they have three to four bedrooms which usually means that there are children, but he was not sure. He stated his point is that there are buyers, and he again noted the house that recently sold in Regency for \$875,000. He stated two of the Regency residences were sold for \$1 million without upgrades.

Mr. Brosso stated they can only build active adult in this community; and while the preference would be to build market rate, this Zoning requires active adult. He stated part of the housing stock that they invest in is active adult. Mr. Cargo stated whatever money they are trying to make is going to be very detrimental to all of those who live in Regency at Yardley. Mr. Brosso stated there has only been talk about the Toll Bros. development at Regency, but there are other communities that set the value. He stated the Toll Bros. development is not considered a comparable to their community; however, Mr. Cargo stated he does not feel the appraiser would agree with that. Mr. Brosso stated the Regency development has “amazing” amenities which they do not have. He stated the better benchmark is what he believes is a Ryan home community in the area. Mr. Cargo stated the appraisers do not look at that; however, Mr. Brosso stated they will. He stated the Ryan Homes are existing, and that price has been set. He stated all of this factors into what the market will say. He stated they are a function of the market. Mr. Cargo stated there is more than one market, and there is a market for lower-priced homes, and he believes that there is a market for the higher-priced homes.

Mr. Umansky stated Mr. Bosso is correct that Regency is a different product than what they are proposing. He stated the proposed homes will not hinder an appraiser’s report when someone in Regency goes to sell their home. He stated they will look for sales like Regency, and the proposed homes will not affect the appraised value of a Regency home if there is a viable buyer and a bank is appraising it to let the sale go through as they are two different things. Mr. Cargo stated they are two different things; but the banks do not necessarily look at it that way, and they look at recent sales.

Mr. Cliff Davis, stated he lives on the other side of Big Oak at Regency and is on the HOA Board. He stated he believes that when Mr. Brosso was meeting with the residents that he heard Mr. Brosso say that the homes were not placed on that side of the private road by accident because there was thought about

trying to acquire property on the other side of the private road to build more homes; however, what he heard today was that was not being considered. Mr. Brosso stated his job is to acquire land for D. R. Horton to construct homes. He stated the parcel on the other side is the same Zoning; however, it is not for sale, and he does not know who owns it. He stated he does not know what their plans are. He stated there is a cell phone tower on the property, and he does not know what restrictions that has as it could have a 99-year Lease. He stated it is of interest, but he does not know anything more about it.

Mr. Umansky stated with regard to that property, in its present state it would improve the salability of these proposed homes having their back yards face the Regency community rather than putting the street on the other side and having their back yards face that parcel. Mr. Davis stated when they met with the residents it was explained to them that it was not done by accident but because the other side of the street could be developed into more homes. He asked if that is still a possibility; and Mr. Brosso stated everything is a possibility, but there are no plans to develop that parcel, and they do not even know at this point who owns it.

Mr. Davis stated when a house in Regency goes up in the market, it is rare that it does not sell in a week or two unless it is “really off priced;” and for the most part, they sell in days and over asking. Mr. Brosso stated that will not change when they build these 16 homes.

Ms. Heather Procaccino, Mulberry Way in Regency, stated her property is not up against the parcel under discussion. She stated she has been a resident of Lower Makefield Township for 30 years and feels this was a lost opportunity for the Township to purchase this land as open space. She stated Regency, the Ryan Homes community, and the other townhouse community next to Regency do not have a lot of open space where they can go for walks and enjoy the outdoors. She stated she appreciates the Township engineer and her neighbors indicating that there is a water table issue in the community. She stated in the open space area where the walkway is located, it is a swamp. She stated the Township has had to replace about 25 trees in that area because of water issues. She is concerned with a community going up adjacent to their properties particularly if they put in basements and what that will do to the water table and to her neighbors on Lavender.

Mr. Brosso stated nothing has been developed yet, and this property could trade and would be for sale. He stated if the homeowners from Toll Bros. and the Ryan community wanted to “put together a kitty” and purchase this land

from them, they would have an open discussion, not develop it, and preserve it. He stated they would have to come up with the right amount of money that makes sense.

Mr. Umansky stated with regard to the water, that was communicated to them at their meeting. He stated this is just a very preliminary plan, and it does show a sub-surface stormwater management system. He stated the ideal scenario would be to put a regular above-ground basin closer to Oxford Valley with all of the appropriate setbacks, and that would improve the situation and capture a lot of the run-off from this property and would be more of a benefit than cause more issues.

Mr. Steve Kozakowski, Locust Drive, asked if they know who owns the properties south of this proposed development; and if they know, do they know what their input is. He stated there are a lot of signs up on that road indicating “Do Not Enter” and “No Trespassing.” He stated they may not be amenable to having extra people right next to their house. Mr. Kozakowski stated he is concerned about the added traffic to the road which would probably be 32 more cars plus visitors besides the truck traffic. He stated there is no light at Big Oak Road which is a danger coming in and out of the road to CVS, the bank, and the Shell station.

Mr. Bush stated at the time more formal Plans would be submitted, they would look at traffic issues; and they would consider that in the future.

Mr. Kozakowski asked if they have heard anything from the people just south of this property. He stated there are two properties – a big property, which is a “junk yard,” and at the far end there is something that abuts right against the highway. Mr. Majewski stated according to the County records, the property that is just south of this proposed development is owned by Robert and Margaret Callahan who have owned it at least since the cell tower was built in the early 2000’s. He stated across the street where there is a house on the property that land is owned by the Hieber Family Limited Partnership who not only own the trucking business property but also the 3.55 acres that is under consideration tonight.

Mr. Nashik stated earlier when they were discussing the adjoining southern property and the trucking company, he believes that Mr. Brosso stated that they had no interest in that property. Mr. Brosso agreed they have no interest in that property across from Old Oxford Valley. Mr. Nashik stated Trinity is looking to purchase the farmhouse property, and Mr. Umansky agreed.

Mr. Nashik asked if Trinity has any interest in the trucking company or has been in talks with them to purchase that property, and Mr. Umansky stated they do not have an interest in that property and have not been in talks with them.

Mr. Bush stated he believes that the next step is continued discussions with the Township; and Mr. Majewski stated the Applicants need to do a little more “homework” and take some of the feedback that they received into consideration. He stated if they choose to move forward, the next step would be to go to the Zoning Hearing Board to get approval for the Variances that would be needed to construct this due to the fact that they do not have the required unit-mix type.

Mr. Coyle stated there was discussion about a preference for a basin, and according to the elevations it looks like the logical place to put a basin would be on the northeast corner of the property based on the way the water flows. He asked if it is safe to assume that they would not be able to build a basin unless they were able to develop the homes all the way to the western edge. He stated they would need to remove the circle in order to put a stormwater basin to improve the drainage. Mr. Umansky stated that is correct, and they would need to have the Plan refined and have an engineer check that and all of the dimensions. He stated they do not know the size of the basin as there has not been any infiltration testing done as was noted by Mr. Brosso. He stated there would have to be a reconfiguration moving things west.

Mr. Coyle asked if they have an interest in reducing the number of homes on the property and possibly increasing the quality of the build of the home that they are putting on to accommodate that rather than shifting everything westward. Mr. Brosso stated the nature of that is that with the price of the land and the amount of development work that needs to be done it is expensive and it is getting more expensive every day. He stated a reduction in the count of homes starts to make this a precarious endeavor for a developer. He stated they are pretty tight to the threshold, and a reduction when you only have 16 homes has a dramatic impact upon the overall development. He stated they are going to try to engineer it at 16 homes and figure out a way to be creative and still adhere to or exceed any stormwater management conditions that must be met. He stated the drawing being shown is probably the worst-case scenario. He stated the elimination of the cul-de-sac and shifting everything on the Plan “leftward” will free up some opportunities for an engineer to do a better aesthetic job and an improved design; however, they do not know if that is feasible yet.

Mr. Coyle asked with regard to home values, do any of the Lavender Drive residents know what is their above-grade square footage which would not include the basement; and someone from the audience indicated it was between 2,400 and 2,500 square feet. Mr. Coyle stated it was indicated that there was a recent sale of about \$875,000 which would be \$357 per square foot; and what the Applicant is proposing is \$341 per square foot at the target sale price. Someone from the audience indicated the Lavender Drove homes square footage is about \$2,600 above grade and there is variability. Mr. Coyle stated they were discussing values and they are comparing raw sale of the home, but they have to look at the price per square foot as that is what will go into the calculation.

Mr. Brosso stated no matter what they did to their homes, they would “never catch” the square foot price of the Toll community because they have amazing amenities that they will never have in the proposed development. He stated there will always be a discrepancy between the price per square foot between the Toll development and the proposed development price.

Mr. Coyle stated while this is probably outside of the scope of the Planning Commission, he did some research on D. R. Horton and Consumer Affairs shows 1,648 reviews of D. R. Horton with an average rating of 1.7 out of 5 stars. He asked what promises Mr. Brosso can make as the potential developer to make sure that any homes that are built in the Township meet the standard of the neighbors in quality, etc. He stated he does not want the Regency homes to have a reputation for a bad build quality because of where they are located in the Township.

Mr. Brosso stated the problem with the massive size of Horton is that when you are the biggest in the market, “you take the most punches.” He stated Horton has a long history, and they made a lot of lower-end homes in the South so a lot of the reviews being seen are germane to that part of the Country, which is a different market and a different build. He stated they have to build at a lower price point to meet the consumer demand there. He stated Lower Makefield is a completely different market, and is a micro-market. He stated in Eastern PA they build a different home than they do in Central PA, and in New Jersey they build slightly different. He stated in Virginia the Horton homes being built are like Toll, Keystone, W. B. Homes or other home builders which are more prestigious. He stated as Horton matures as a company, they are growing into larger, more luxurious home because the market demands it. He stated in this area, they have the ability to do that and not build a home that is sold for \$180

per square foot. He stated they need to build a nice home in this area so that they are competitive. He stated this is not the only project that they want to do in Bucks County and in Lower Makefield.

Mr. Coyle stated it was discussed that they were not going to be able to reach the quality of Regency; however, Mr. Brosso stated he did not say “quality,” and what he said was that it will not be as “fancy.” He stated architecturally the Toll Bros. development is “spectacular.” He stated Toll also had a better piece of land that the proposed property does not have. He stated the proposed homes will be quality, but they will not be as fancy architecturally.

Ms. Procaccino stated there was discussion about looking at the elevations and the potential for moving the storm drain system to a different area of the property. She asked if that was done and they got rid of the cul-de-sac does that not mean that they would have to connect to Cypress in order to adhere to the Township’s Fire Code. Mr. Coyle stated they would not be permitted to do that without the permission of the Regency landowners. He stated that is not something that the Planning Commission can require because it is land that the Township does not own. Ms. Procaccino stated she feels that the way the property is graded, the storm drain would have to be on the other side of the property which would mean eliminating the cul-de-sac; and they would then not be able to have fire trucks come in and out without having an access road. Mr. Coyle stated a trade would have to happen.

Mr. Brosso stated their goal would be that if there is a collaborative way to explore that, they could have that discussion. He stated at this point everything is still on the table. Mr. Umansky stated it would not be a through street, and it would just be for emergency vehicles.

Mr. Bush asked if there are any pictures of what these emergency roads that exist in the Township look like; and Mr. Majewski stated he does not have them tonight, but there are examples that he could show, and he will advise the Regency residents.

Mr. Majewski stated if they do get to the point where they come to the Zoning Hearing Board all property owners within 300’ of the property will be notified of what their Plans are, and that would include all of the individual neighbors within 300’ and the HOA which would notify the entire community.

DISCUSSION AND RECOMMENDATION OF PROPOSED AMENDMENTS TO CREATE AN HISTORIC STRUCTURES DEMOLITION ORDINANCE

Ms. Carlton stated they have been working on this for a number of months with significant input from Township staff, the Historical Commission and HARB. She stated it is not yet in Ordinance form; and if approved, they will format it differently. She stated there are three portions – the actual Ordinance, an Appendix D, which is a designation process for the Township Historic Building Inventory, and changes and additions to the Definitions Section of the Ordinance.

Ms. Carlton stated the purpose of the Ordinance is to protect the historic structures in the Township by promoting preservation; and in the case where preservation is not possible or practical, providing provisions for the demolition, removal, or relocation of such structures. She stated it goes into detail as to how that would be accomplished. She stated a historic structure would be designated as such through the terms under Appendix D. If the structure were to be demolished, the homeowner would have to apply for a Demolition Permit that would necessitate a Conditional Use Hearing before the Board of Supervisors; and that would then require input from the Historical Commission as to whether or not they are in agreement that it can be demolished either in part, parcel, etc., and it would then go through a process through Code Enforcement.

Mr. Bush asked how this is different from what currently exists. Mr. Lewis stated we significantly changed our Property Management Code so that people could not let their houses go into disrepair and be in a situation where they were uninhabitable because that creates a contingent liability on the Township and causes some other issues. He stated there were two historic properties in Edgewood Village, and the Township did not fully enforce the Property Management Code on them. The developer eventually did get approval for restoration of those properties. He stated in general our Property Management Code is designed such that you should not let a property go into disrepair. He stated there are properties in Lower Makefield that are relatively new that have gone into disrepair and are being worked by our Code Enforcement team. He stated while the immediate neighbors suffer if they live near such a home, it is a different situation with historic homes because the entire community suffers if a 150 year old home is gone because that is history that is not re-creatable. Mr. Lewis stated this also forces us to address making sure that we can try to get as many properties on the Historic Register as possible.

Mr. McLoone stated Section A indicates that someone who owns a historic building will have to provide a historic record for any structure that was built before 1939 year or 100 years old or older. He stated they would also have to show consideration to be given for adaptive reuse.

Mr. Gill asked how they came up with the definition of 1939 or a 100 years old. Mr. Majewski stated that was an extensive topic of discussion with the Historical Commission, the Township staff, and the Township solicitor. He stated the National Register of Historic Places says that any building greater than 50 years of age is eligible to be considered historic. He stated obviously a 50 year old house in Lower Makefield is not going to be historic unless it had some unique architectural feature done by a famous architect, had someone famous living there, or had a famous event occur there that would deem it to be historic. He stated that 1939 was chosen as the “kick-off” date because that is when Lower Makefield first adopted the Zoning Ordinance and first started requiring Building Permits. He stated there is little to no documentation on buildings older than 1939. He stated that buildings that are older than 1939 would be buildings that would potentially be of some architectural interest.

Mr. Majewski stated Edgehill Gardens off of Yardley-Morrisville/Ferry Roads was built in the 1920’s and 1930’s and the homes have a lot of architectural interest, and some of them were done by famous architects. He stated there has been talk in the past by the Historical Commission of designating that as another Historic District.

Mr. Majewski stated they had to come up with a date from which to start. He stated the Township is going to be working on an update of our Historic Resources Inventory, and we received a Grant from the Pennsylvania Historical Museum Commission to help assist with that. He stated we hope to have a better grasp on exactly how something is designated. He stated Appendix D lays out the exact process for doing that and even gives an avenue for Appeal for a property owner if they feel that their house is not really historic.

Mr. Majewski stated we have had some old homes that are very old and are historic one of which was in very good condition, but the property owners chose to tear it down and build a new house. He stated in that case, we were fortunate that the property owners worked with the Township to document the house and take photographs. He stated this Ordinance will try to encourage people to either preserve the house, re-locate it if possible, re-use materials, or allow the Township to document the method of construction and what it looked like prior to issuing a Demolition Permit.

Mr. Majewski thanked Mr. Joe Camaratta and the Historical Commission who have been working diligently on this for a long time.

Mr. Camaratta stated in 1798 there were 197 properties in the Township, and there are only 31 of them remaining today. He stated in the last five years three Demolition Permits have been issued including the house that Mr. Majewski just spoke about. He stated looking at houses that were existing in the 19th Century, there are only 91 of those houses remaining.

Mr. Camaratta stated this continues to happen as developers come in and indicate that they are not going to incorporate an existing old house into their Plan. He stated the developers tonight indicated that the house on the property they are looking to develop had no historic value; however, he would challenge that since he does not know how they know that. Mr. Camaratta stated with this Ordinance, we are trying to have people realize that these homes have historic value to the community; and when they can re-use the property that would be preferable or if they want to re-locate the property that would also be fine. He stated in those cases where that is not possible and they need to move forward with demolition, we would like to have the homeowner properly document the house. Mr. Camaratta stated that Mr. Majewski had mentioned a case where they were called in and allowed to photograph the house; and often that happens on a moment's notice, and if they are working they cannot do that and they lose that opportunity. He stated documentation is not only photographs, but it also includes measured drawings, etc. He stated where there are historic materials, they would like to have that material re-used. He stated there are a number of historic properties in Lower Makefield and Bucks County that could use those materials.

Mr. Costello asked why it would be the property owners responsibility to do something they may not care about or want to do. He stated the Township is telling the property owner that they want the homeowner to do this for the betterment of the whole community even though it is their property.

Ms. Carlton stated typically when you purchase a property, you know that it has historic significance. She stated in this case, your property could be designated historic unbeknownst to you; and this Ordinance does put the onus on the property owner to document. She stated the requirements for documentation are significant; and it had been discussed whether the onus should be on the homeowner, and it was determined that it should be on the homeowner. Ms. Carlton stated the requirements for the documentation are

are for architectural drawings consisting of floor plans, photographs of the building exterior, drone views of the property, photographs of all building interiors clearly depicting every room and up-close images of character, defining interior architectural features, and recording of the dismantling that captures the method of construction. Ms. Carlton stated while this is significant, the thought was if you are purchasing a property with historical significance, you generally do know about it. She stated if a historic designation is given to a property, in a re-sale that must be disclosed by Pennsylvania Law. She stated that sometimes does have an impact as to whether or not someone is willing to purchase a property because they know the requirements that come along with owning a historically-significant property.

Mr. Costello stated with regard to the 1939 date that date will be irrelevant in fifteen years, and they would then just be looking at the 100 year old or older number.

Mr. Coyle noted Section B22C4, and asked if is appropriate to have the onus of the documentation requirement outlined in the Ordinance put on the property owner if the property was not designated historic when it was purchased. He stated he would be upset if his house was designated historic right before he went to sell it, and then had to spend a significant amount of money having an architect come in and do As-Built drawings, measurements, etc. He stated there is nothing historic about his home.

Ms. Carlton stated it was indicated earlier that if you are of the opinion that your property is not of historical significance even if it falls within the parameters, there is an Appeal process.

Mr. Lewis stated if you do not intend to demolish your property, you do not have to Register it; and this Ordinance does not place any additional regulatory burden on people that are using their existing property. He stated it is only in the event that someone is seeking to file a Permit for demolition.

Mr. Coyle asked if this could be applied to modifications to the home, and Ms. Carlton stated that would depend on how significant the modifications are. She stated there are specific exclusions to this Ordinance, and it does not apply if it is the interior. Mr. Majewski stated it does not apply to removal of features that were added less than 50 years previously such as a modern porch, aluminum siding, or a carport. He stated if there were additions put onto a building, and the homeowner just wanted to demolish those, they would not be penalized.

Mr. Coyle asked what would happen if it was a 100-year old ranch that the homeowner wanted to put a second floor on. Mr. Majewski stated they would have to do demolition of the roof structure to put on a second floor. Mr. Coyle asked if that would need a Demolition Permit, and Mr. Majewski stated it would.

Mr. Camaratta stated if the property owner is not demolishing the house, they do not need to document it. He stated while there was an extensive list with regard to the documentation required which was provided by HARB, that could be handled on a case-by-case basis. He stated if it is a house from the 18th Century, they are going to want a little more documentation than if it is a 1920 house.

Mr. Coyle asked if a home were significantly damaged by a fire, flood, or natural disaster and had to be torn down, it would be a concern if the Township were to require that the home be “laser scanned” which would be another expense.

Ms. Carlton stated it is for demolition, removal, or re-location. She stated if it was damaged by flood, etc. you would probably be partially demoing the property; and the whole process is a Conditional Use, and it will go before the Board of Supervisors. She stated Conditional Use is an easier process.

Mr. Bush stated he understands that we currently have a Township Historic Building Inventory, and he asked if the homes that are on that Inventory automatically stay on the Inventory list if this Ordinance passes or do they have to go through the process of being placed on there.

Mr. Camaratta stated the Historic Inventory List is based on the age of the home, and they are looking at houses that are over a certain age; but that does not necessarily make a house historic. He stated they are bringing in the criteria that is used by the Secretary of the Interior for the National Register. He stated the Inventory List would go through the process, and then a sub-set of those would appear on this list.

Mr. Majewski stated the four criteria are association with significant events, association with significant persons, architectural or artistic significance, and potential to yield information, which means it is important to the history of the Township. Ms. Carlton stated from there it goes onto the process where it will be vetted and approved by the Historical Commission and then go to the Board of Supervisors. She stated the homeowner will then be notified. She added that homeowners can ask for their properties to be placed on this list as well. She stated if you are not a homeowner who asked

to be placed on the list, and you are notified by the Township that your property has been designated as such, and you are unhappy with that designation, there is the Appeal process that was discussed earlier.

Mr. Costello asked how this compares to what surrounding communities have done to try to maintain historic structures. Ms. Carlton stated they did take into consideration the neighboring Municipalities seeing what they did, and it is similar to what is proposed. Mr. Camaratta stated they involved the Pennsylvania Preservation Office in reviewing this to make sure they were abiding by Pennsylvania Law and in line with what other Townships and Counties are doing.

Mr. Bush asked what is the current scope of the current list of Historic Building Inventory, and Mr. Camaratta stated it is between 300 and 400. Mr. Camaratta stated the 31 remaining houses from the 18th Century are by default historic, and when you get into the 19th Century there are a number of old farmhouses. He stated he lives in Westover and there are about 6 houses there that are from the 1920's, 4 of which are Dutch Colonials; but he does not know if they are all historic.

Mr. Coyle stated he was disappointed with the Point Development, and the fact that they are re-locating historic property; however, there is no "hook" to make sure that they actually finish that work. He stated they could finish the new development, and people could move into those new properties. Mr. Coyle stated in B2E of this proposed Ordinance there are Conditions that speak to demolition removal and relocation if it is approved to facilitate future development of the property. He asked if we could tie the Certification of Occupancy of the new development to the completion of the appropriate destruction or relocation as pursuant here or is that not permissible.

Ms. Carlton stated we should be able to do that since it would be part of the overall Plan, and all Conditions of the Plan would have to be met. Mr. Coyle stated he would recommend to the Board that they look at the opportunity to include that so that we could insure that the developer completes that work to satisfaction before they can "cash the checks for the sale of the new properties."

Mr. Majewski stated with regard to the Point Development, as part of the Development Agreement we required that before they start construction on any of the new units, that they start work on the old units first. He stated before they get any Certificates of Occupancy, the first ones to be issued must be for the building that is being renovated and the building that is

being replicated. Mr. Coyle stated he would be looking for that to be put into this Ordinance. Ms. Carlton stated they could write in the Certificate of Occupancy and also Maintenance Bonds, etc. that are being held for the Development that they are not going to be released until certain things occur and are completed.

Mr. Camaratta stated that while he thinks that is a great idea, Edgewood Village is outside the scope of this Ordinance because it has its own Overlay Ordinance.

Mr. Majewski stated it has been indicated at all of the Board and Commission levels, that we should make sure that the developers are working on the old parts first before they get to work on the new parts.

Ms. Carlton stated the Board of Supervisors was looking for a recommendation from the Planning Commission so that the process can move forward. She stated the Ordinance has not yet been submitted to the Bucks County Planning Commission as she was waiting for tonight's meeting to occur.

Mr. Costello stated although it may not involve many homeowners, if someone owned a property that was not designated when they bought it but it now applies to them and it ends up that some cost needs to be incurred to comply with this, he feels the Township should cover that. He stated if someone buys a property and they know it is historic that is different from someone who buys a house and ten years later it hits the list and they are being asked to do something that they were not counting on. Mr. Bush stated if the house was proposed to be put on the Historic Designation List, the homeowner would have the opportunity to contest it. Ms. Carlton stated they would have the ability to Appeal that decision. Ms. Carlton stated she understands that Mr. Costello's intent is for the Township to assist with the documentation that is required, and Mr. Costello agreed.

Mr. Majewski stated he feels that situation is covered, and they will be looking closely at the properties to determine what they feel is worthy of being saved. He stated when a determination is made as to what should be saved, everyone will be notified of the plan to designate their property as historic; and they can challenge at that time. Mr. Coyle stated they could also sell the property before the designation is put in place. Mr. Majewski stated the property owner could also Appeal the designation if they feel it is unfair. He stated any sale would be part of the Real Estate Disclosure, so a new homeowner would know that they will have certain obligations if they want to demolish the house and build a new one. He stated the Township is always willing to assist people whenever it is

reasonable without being burdensome on the Township. He stated he does not feel the cost of doing the documentation would be that substantial that it would stop someone from going ahead with a demolition if they really wanted to do that.

Mr. Majewski stated the Township wants to encourage property owners to keep the home whenever possible, and/or reuse it, or document the property for posterity.

Mr. McLoone stated information about this Ordinance was posted on the Township Website last week.

Mr. Bush asked how many homes get torn down in the Township on an annual basis, and Mr. Majewski stated it is probably two to three a year. He stated there was a house on Black Rock Road that was demoed and re-built; and the neighbors were shocked because it was so modern looking, and they did not feel that it fit the neighborhood. He stated the original house had an addition that was put up on cinder blocks, bricks, and pieces of wood so it was a house that was worthy of being demolished.

Mr. Coyle moved and Mr. Costello seconded to recommend to the Board of Supervisors to accept the changes to the Historic Demolition Ordinance and associated definitions, etc. as offered here today in that as a Condition the Board consider amending the Ordinance to tie the granting of a Certificate of Occupancy to the successful completion of any re-location or demolition on a historically-significant property under the effects of this Ordinance.

Mr. Cullen asked how this Ordinance would affect the farmhouse on the property that was discussed earlier this evening which was built in 1804. Mr. Majewski stated under our current Ordinance we require an Environmental Impact Assessment on all developments that have a certain number of units, and that proposed development would qualify. He stated as part of that they need to do a Historic Resources Inventory, and they would have to provide some level of documentation on what the house looks like. Mr. Majewski stated as part of the development, we also usually do a site walk on the property; and one of the things we would request would be to try to get inside the house and look at it to see if there is anything of the 19th Century remaining in the house or was the whole house at one time gutted and re-done and to make sure that it is the same house or parts thereof that was there originally.

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Mr. Cullen asked if the onus would be on the current owner to answer those questions or the buyer, and Mr. Majewski stated it would be both. Mr. Cullen asked if the same would be true if the Ordinance passes, and the bar is just being raised to protect more of these types of properties, and Mr. Majewski agreed.

Motion carried unanimously.

There being no further business, Mr. Costello moved, Mr. Coyle seconded and it was unanimously carried to adjourn the meeting at 9:40 p.m.

Respectfully Submitted,

Colin Coyle, Secretary