

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES – FEBRUARY 5, 2025

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on February 5, 2025. Mr. Grenier called the meeting to order at 7:41 p.m. and called the Roll. A moment of silence was held in remembrance of the Supervisor Anna Payne of Middletown Township who passed away.

Those present:

Board of Supervisors: Daniel Grenier, Chair
John B. Lewis, Vice Chair
James McCartney, Secretary
Matt Ross, Treasurer
Suzanne Blundi, Supervisor

Others: David W. Kratzer, Jr., Township Manager
Maureen Burke-Carlton, Township Solicitor

COMMUNITY ANNOUNCEMENTS

Mr. Grenier stated during this portion of the Agenda residents and youth organizations may call in to make a special announcement or may contact the Township at admin@lmt.org to request a special announcement be added to the Agenda. There was no one wishing to make a special announcement at this time.

Mr. Grenier stated the Lower Makefield Township Environmental Advisory Council is sponsoring a free Valentine's Day Lecture "Naughty by Nature" on Saturday, February 15, 2025 from 10:00 a.m. to 11:00 a.m. at the Township Building. Doors will open at 9:30 a.m. for anyone interested in a book signing or a Q & A session.

Mr. Grenier stated the Yardley Farmers Market will be at the Community Center, 1550 Oxford Valley Road the first and third Saturdays of every month until April, 2025 from 10:000 a.m. to 12:00 p.m.

PUBLIC COMMENT ON NON-AGENDA ITEMS

There was no one wishing to make public comment at this time.

APPROVAL OF CONSENT AGENDA ITEMS

Mr. McCartney asked that the following items on the Consent Agenda be removed:

Authorizing the full release of Financial Security for Regency at
Yardley-North-Phase 2
Authorizing the full release of Financial Security for Regency at
Yardley-North-Phase 5.

Mr. McCartney moved, Ms. Blundi seconded and it was unanimously carried to Table authorizing the full release of Financial Security for Regency at Yardley-North-Phase 2 and the full release of Financial Security for Regency at Yardley-North-Phase 5.

Mr. Lewis moved, Mr. Ross seconded and it was unanimously carried to approve the following Consent Agenda Items:

Approved the Minutes for the January 6, 2025 Meeting
Approved the Minutes for the January 15, 2025 Meeting
Approved the Warrant List dated January 22, 2025 in the amount
of \$612,375.97 (as attached to the Minutes)
Approved the Warrant List dated February 5, 2025 in the amount
of \$245,093.76 (as attached to the Minutes)
Approved authorizing the full release of Financial Security for
Regency at Yardley-North-Phase 2
Approved authorizing the full release of Financial Security for
Regency at Yardley-North-Phase 5
Approved the 2025 Pay Rates for Seasonal Pool and Camp Staff
Approved authorizing the advertisement for sale of 3-John Deere
Fairway mowers via Municibid
Accepted the resignation of Jack McCarthy from the Historical
Architectural Review Board
Accepted the resignation of Dennis Wysocki from the Park &
Recreation Board

COMMUNITY DEVELOPMENT

Conditional Use Hearing to Permit a Kennel Use at 748 Stony Hill Road for MRG Stony Hill LP (K9 Resort)

Ms. Carlton stated the Applicant/Owner for this Conditional Use Hearing is MRG Stony Hill LP. The property is 748 Stony Hill Road, Tax Map Parcel #20-016-036-001. The relief sought is a Conditional Use Approval pursuant to Section #200-36B(1)(d) of the Historic/Commercial District to allow a kennel use in the Historic/Commercial District.

Ms. Carlton provided the Applicant with a list of Exhibits that the Supervisors had been provided. She stated Notice of the Hearing has been properly advertised and posted by the Township as shown in the Exhibits packet. Ms. Carlton read the Public Notice dated January 15, 2025 into the Record.

Ms. Carlton stated the Applicant proposes to develop the property located in the Historic/Commercial Zoning District on 4.152 acres of the 7.057 acre property to allow up to 125 dogs and allow a rear yard exercise area. Conditional Use approval is required for such activity pursuant to the Township Code of Ordinances. A copy of the full text of the Application is on file at the Lower Makefield Township Building, 1100 Edgewood Road, Yardley, PA 19067 where copies may be examined without charge or obtained for a charge not to exceed the cost thereof. She stated the Public Hearing provides an opportunity for interested Township residents to comment upon and/or make recommendations with respect to the Application. Ms. Carlton stated at the conclusion of the public meeting, the Board of Supervisors may consider approval of the Application or may take their allowance of forty-five days to make such Decision.

Ms. Carlton stated the Zoning Ordinance provides that certain identified principal uses of land are allowed in each District known as permitted either by right, by Conditional Use, and by Special Exception. Conditional Use is a permitted use that is allowed when an Applicant can demonstrate that they meet certain objective criteria set forth in the Zoning Ordinance. Conditional Use Applications are heard by the Board of Supervisors.

Ms. Carlton stated the term Conditional Use is a misnomer, and the fact that a certain use is permitted by a Conditional Use evidences a Legislative determination that such would not have an adverse impact on the public interest in normal

circumstances. She stated because Conditional Uses are not permitted by right, a landowner must apply to the governing body for Conditional Use Approval which can only be granted or denied after a Public Hearing. Conditional Use involves use of the land as opposed to the particular design details of the development. At the Conditional Use Hearing, the Applicant bears the burden of establishing that the proposed Conditional Use satisfies the criteria in the Zoning Ordinance. If the Board of Supervisors is persuaded that the Application complies with the Zoning Ordinance, a presumption arises that the proposed use is “consistent with the general welfare of the community.”

Ms. Carlton stated in this instance the Lower Makefield Township Ordinance relevant to discussion on Zoning is Section #200-36B(1)(d) Permitted Uses in the Historic/Commercial District. She noted the regulations which apply list a number of uses which require Conditional Uses; however, it does not list this proposed use so it would go under the “catchall section” of other uses that may be permitted in the H/C District, but that such use must conform with all of the other applicable requirements of the Historical/Commercial District and the Chapter in general.

Ms. Carlton stated another relevant provision of the Ordinance is Section #200-68.A(20) which is Use Regulation for the definition of a kennel which is the keeping of more than three dogs that are more than six months old for breeding, training, sale, or boarding for a fee or as pets provided that the following Conditions are met: Minimum net lot area shall be 5 acres, no animal shelter or run-away shall be located closer than 150’ from a property boundary, the total number of dogs on the property shall not exceed five dogs per acre excluding dogs under six months of age.

Ms. Carlton stated another relevant portion of the Code is the Conditional Use itself. She stated the Board of Supervisors shall has the power to approve or disapprove Conditional Uses in accordance with provisions listed. She stated the Board of Supervisors shall grant a Conditional Use only if it finds adequate evidence that the proposed development submitted will meet all of the following general requirements: It is in accord with the Lower Makefield Township Comprehensive Plan. Approval shall not be a detriment to the properties in the immediate vicinity. The proposal is suitable for the property in question and designed to be constructed, operated, and maintained so as to be in harmony with and appropriate in appearance with the existing, intended character of the general vicinity. It is in accordance with all applicable requirements of the Chapter and all Township Ordinances, and is suitable in terms of effects on the highway traffic.

Ms. Carlton stated the Board of Supervisors is to request an advisory opinion from the Township Planning Commission on any Conditional Use Application, and she stated the Applicant has been before the Planning Commission and a recommendation has been rendered by them.

There was no one from the public requesting Party Status.

Ms. Carlton stated Board Exhibits have been provided to the Board as well as the Applicants and their attorney. The Exhibits are as follows: Exhibit T-1 is the Summary of the Planning Commission meeting of October 30, 2024. Exhibit A-1 is the Conditional Use Application and the applicable Township Ordinance Provisions. Exhibit T-2 is the Planning Commission Minutes from October 30, 2024. Exhibit A-2 is Concept Plan C prepared by Landcore, last revised January 6, 2025. Exhibit A-3 is Noise Study by Ostergaard Acoustical Associates. Exhibit B-4 is the Proof of Publication. Exhibit B-2 is the Notice of Posting. Exhibit B-3 is the Notice to the neighbors. Exhibit A-4 is the Applicant's October 30, 2024 presentation to the Planning Commission.

There were no objections to the Board's Exhibits.

Mr. Ron Rusk, Mr. Ryan Whitmore, Ms. Christine Miller, and Mr. Kevin Tennant were sworn in.

Mr. Rusk stated he is one of the partners in MRG Stony Hill LP along with Jim McCaffrey, and Steve Goldstein. He stated their attorney, John Fenningham, is present this evening, but the MRG partners made it clear that they felt the presentation should be more of a business approach and not a legal argument as they feel their project stands on its own as having merit. Mr. Rusk stated they have been before the Planning Commission a few times and met frequently with the staff. He stated there were some "false starts" with the Zoning Hearing Board, and they are glad to now be in a position to present their case to the Board of Supervisors who are the ones who make the decision.

Mr. Rusk stated he and his partners have owned the KinderCare for a number of years; and over those years, they have always planned on developing the 4.5 acres that are adjacent to the KinderCare; however, they have never seen a proposal that they felt was complementary to the KinderCare, offered a benefit to the Township, or would not have disturbed more trees than necessary on the heavily wooded site. He stated when the K9 Hotel Resort described their use they felt it was something that was needed in the Township as there is not a suitable place to board a dog in Lower Makefield and that this site was perfect.

Mr. Rusk stated the Board will hear from the canine operator who is a local individual and owns a successful K9 Resort in Horsham Township. The Board will also hear from K9 Corporate who will describe how different their operation is from what is typically described as a kennel. A civil engineer, sound engineer, and traffic engineer will also make presentations.

Mr. Rusk showed the property on an aerial and the location where they are proposing the K9 building which is 300' to 400' from the KinderCare operation. He noted the road that was developed for the greenhouses, and much of their development is centered around being able to use the area which was cleared by the Township for the greenhouses so that they can minimize the amount of trees that would need to be cut down. Mr. Rusk stated across the street is a continuing care facility which is in R-2 not the Historic District. A number of Residential, Commercial, and Office facilities in the Historic District around their property were shown. Mr. Rusk stated they felt that given that they are in a wooded area backing up to open space which will never be developed and surrounded by other Commercial activities, this would be a perfect use and one of the only places where this use could work in the Township.

Mr. Rusk noted a number of permitted uses in the Historic/Commercial District including a blacksmith, woodworking shop, tinworking shop, inn/motel, and a logging operation. He stated the uses are varied in nature and are service/industrial oriented. He stated uses that are prohibited are drive-throughs, convenience stores, gas stations, firehouse, and large Retail stores. Mr. Rusk stated even though their proposed use is not permitted, it is not prohibited; and any of the uses that are prohibited do not fit in with anything they are proposing for this site.

Mr. Rusk stated their problem is that they are being called a kennel; but through the presentation, the Board will hear all of the reasons why they should not be called a kennel. He stated they are asking the Board to consider this proposal from a practical standpoint and agree that this is a good location in the Township providing a low-intense needed service.

A short video was shown about K9 Resorts.

Ms. Christine Miller stated she owns the Horsham K9 Resorts, and she would be the franchise owner of the Lower Makefield location as well. She stated she has owned the Horsham location for three and a half years, and she lives in Upper Makefield. She provided a history of K9 Resorts which was founded

by Steve and Jason Parker. They opened the first K9 Resort in 2005, and they now have 41 open resorts. Ms. Miller stated their purpose is to provide a home away from home for dogs focusing on their health and happiness and making sure that their customers are comfortable leaving their dogs in their care.

Ms. Miller stated they offer both boarding and day care. Boarding is considered luxury boarding with three different levels of accommodations with luxury dog beds. The pricing is all inclusive and includes a prescription Blue Buffalo dog food and either group play in the day care or personal play time when the dog is taken out six times a day by one of the staff members to a private yard to play. Dogs are taken for private play who do not do well with other dogs or whose owner does not want them interacting with other dogs. All dogs that come into the building must be 100% people friendly. Slides were shown of the different accommodations for boarding.

Ms. Miller discussed the dog day care which provides social benefits for the dogs and provides them with exercise. She stated that most of the dogs that board do day care during the day, and there are times when day care dogs spend the night. Day care is broken into two groups – small dog day care is for dogs under thirty pounds. All dogs coming into the day care have to go through an evaluation and must be up-to-date on all vaccinations. For the evaluation, the dog is introduced to one dog at a time, and they are then monitored for the day with the group of dogs to make sure that they are happy and not aggressive. Dogs that are terrified or bark all day are not accepted into the day care. The day care is staffed at all times with trained attendants who go through a rigorous training program both on-line with testing and on-the-job training where they are matched up with a Supervisor.

Ms. Miller stated day care takes place both inside and outside with fresh water at all times, and the inside areas are air conditioned and heated. Dogs who are involved with personal play time never pass by another dog when they are in the facility, and radios are used to make sure the halls are clear. All dogs are leashed going to and from their rooms to the play yards or bathing areas. Dogs who are there more than one night are bathed, and baths are offered to any of their clients who request one. If dogs get dirty during the day, they are bathed free of charge.

Ms. Miller stated the Resort has surveillance cameras, security and sprinkler systems, and alarms. She stated they partner with local veterinarians if there is a reason for a dog to be seen by a vet.

Ms. Miller stated any guest coming in for day care or boarding is pre-registered, and the day care drop off takes less than thirty seconds. Boarding check-in typically takes less than three minutes. Pick-up times are quicker for both day care and boarding. Ms. Miller stated the facility is open from 7 a.m. to 7 p.m. Monday through Friday and 9 a.m. to 5:30 p.m. on weekends. Day care check-in and pick-up is the whole time; however boarding is limited to 9:00 a.m. to 5:30 p.m. seven days a week since the boarding check-ins take a little longer. Most of the day care rush is completed by 9:00 a.m. or has not started yet in the evenings when the boarders are coming and going. She stated this keeps the parking lot and lobby flowing and results in less wait time for the customers. Ms. Miller stated on most weekends they typically have only a handful of drop-off day care dogs although they are busier with boarding. She stated any holiday and all summer are their peak times. She stated boarding reservations go up at this time, but there are fewer dogs in day care because more people are off work and out of school.

Ms. Miller stated they do not have large semi-trucks bringing deliveries and typically it is Amazon, UPS, and FedEx making deliveries; and the deliveries are accomplished quickly.

Ms. Miller stated even through the Application is for a maximum of 125 dogs; they may hit that during peak times, but typically it is much lower. She stated the day cares have doors that go directly to the outside, and the rooms do not have any runs where the dogs can go outside directly from their room. She stated the only time the dogs can be outside is when there is an attendant in the day care with them or in the private play yard with one dog. Ms. Miller stated if the weather is inclement or if any of the dogs start to get "rowdy," they can be pulled inside and close the doors and allow them to play inside and open it for a few minutes every hour in the case when it is too hot or too cold. Ms. Miller stated if there is a dog that cannot settle down, they will be taken to a room until they calm down.

Mr. Rusk asked Ms. Miller the number of parking places at the Horsham location, and Ms. Miller stated there are fifteen which is sufficient. Mr. Rusk stated they would prefer not to have too much parking because overdoing parking would involve cutting down more trees and cause more disruption. They will be asking for parking relief if they get to the point when they go to the Zoning Hearing Board. Ms. Miller stated they have never had an issue with parking at the Horsham location, and she does not recall any time when there were more than four customers' cars parked at one time in front.

Mr. Rusk showed pictures of the Yardley Kennels that for years was known as the MacKensen Kennels. The outside dog runs and front of the building were shown, and Mr. Rusk stated it is totally different from what they are proposing with the K9 Resort. A photo of what they are proposing for the K9 Resort was shown which resembles a barn. He stated while not required, they plan to go to HARB and show them what they are proposing. He stated the Cigar Barn in the area is actually in an old barn, and they are trying to keep that theme. He stated they would take under advisement anything HARB or the Board of Supervisors would suggest to try to blend the building into the wooded area and the charm of the Historic District.

Mr. Kevin Tennant, K9 Vice President of Franchise Operations, stated he has been with the company for over five years, and he has worked closely with Ms. Miller. He stated there are currently 41 K9 operating locations in 27 States, some of which are in Commercial/Retail areas, some in Industrial/Flex locations, and all within proximity to Residential areas. He stated they have never had any complaints as to noise or odor in any of their operating resorts. Mr. Tennant stated they want to be a good neighbor and also want to make sure that the dogs are enjoying their time at K9. He stated they do not do anything that dogs do not like such as cutting their hair or trimming their nails.

Mr. Tennant stated for their outdoor areas they use rotationally-molded fences that absorb 98% of direct soundwaves. He stated the 8' fence is to keep the dogs in and keep people out. He stated dogs can jump a 6' fence, which is why they use an 8' fence to keep them secure. He stated the turf yard is similar to an artificial turf without backfill, and urine percolates into the ground below similar to a grass yard. He stated they also sanitize many times a day using hospital-grade cleaners that eliminate any kind of illness or odor.

Mr. Rusk asked Mr. Tennant the maximum number of dogs that any of the operations might handle, and Mr. Tennant stated that depends on the size of the building. He stated their flagship location is 16,000 square feet and can accommodate up to 250 dogs for overnight boarding although they have not reached that number. He stated there is a calculation that is required of all the franchise locations as to how many dogs are allowed to be in any of the day cares. He stated they require 18 square feet for each large dog and 12 square feet for each small dog. He stated for overnight boarding, they try

to utilize as much space as possible to drive revenue since they want their franchise owners to be successful. Mr. Tennant stated as Ms. Miller noted the size of the proposed building could accommodate 125 dogs based on the overnight boarding, but that is not something that would happen every day of the year although it could happen during peak times such as holiday weekends. He stated the number of dogs that are in the building are split between large and small dogs so it is not 100 dogs in one area.

Mr. Rusk asked about the standard for how many dogs are allowed outside at one time. Mr. Tennant stated that would be based on the capacity of each playroom. He stated not all of the dogs like to go outside; and when they open the doors some of the dogs like to stay inside the building. He stated if there are 40 dogs in large dog day care at one time, probably half of them would stay inside.

Mr. Rusk asked for further information about the fencing. Mr. Tennant stated in the early days of K9 they used white vinyl, Residential fencing; but for the last five years they have been utilizing a product called Bufftech which is the same type of material used on highway projects to be a sound buffer between residential and highways. He stated it is a rotationally-molded fence so there are no slats or grooves, and it is a solid fence with a stonework appeal to it. It has sound-mitigating qualities that absorb 98% of direct soundwaves. Mr. Tennant stated the outdoor turf also acts as a *buffer to absorb sound*.

Mr. Rusk asked if something were to interfere with Ms. Miller's commitment to operate the site, what would be the responsibility of the K9 Corporation. Mr. Tennant stated they work very closely with their franchise owners; and if Ms. Miller were to make the decision to exit the franchise, they would work with her on someone to assume the business. He stated they would have to go through a vetting process with the corporate office, and they would work with Mr. Rusk as well to make sure that they have the right operator to take over the business. Mr. Tennant stated K9 Corporate is committed to the site for the next twenty plus years.

Mr. Ryan Whitmore stated he is the Project civil engineer who along with others from his firm prepared the Zoning Plan which was shown this evening. He showed on the Plan the location of the KinderCare on the right side/east side, and the west side which is where the proposed development lot is located. He stated the K9 Resort is proposed to be 8,245 square feet and adjacent to that is a spec Retail

building of 3,400 square feet. He stated the subject of the meeting tonight is solely the K9 Resort, but it is still appropriate to talk about the Retail use from a planning perspective.

Mr. Whitmore stated the proposed building is in the left corner. Off to the bottom left of the Plan is the 295 Expressway, and the Patterson Farm is to the north. He stated the building and the outdoor play area off the rear of the K9 building are tucked away and facing the most undeveloped portion of the property and surrounding area. He noted the brown shaded area on the Plan on the left side of the K9 space which is the outdoor exercise area which will be surrounded on three sides by the 8' tall fence. The fourth side is the building itself which will act as a physical barrier that separates the outdoor exercise/play area from the rest of the property and the day care and will block the sound that could potentially travel in the easterly direction where development is located surrounding the property.

Mr. Whitmore stated under the Kennel Ordinance in addition to the minimum Lot Area, there is a minimum setback for any outdoor exercise or animal housing which is 150' setback from any property line. He stated the closest corner of the outdoor play area is about 59' from the property line, and that will be a topic of discussion with the Zoning Hearing Board should they get an approval from the Board of Supervisors.

Mr. Whitmore stated the overall tract is about 7 acres, and the Lot Area is split about 60/40 with the K9 lot being about 4 acres, and the balance of the Lot Area being the KinderCare. He stated the proposed Subdivision line is shown as a black dashed line and generally follows the limits of the existing outdoor playground of the KinderCare. He stated there is a minimum Lot Area standard under the Kennel Ordinance of 5 acres, and they are proposing 4.152 acres; and that will be another topic of discussion with the Zoning Hearing Board where relief will be required.

Mr. Whitmore stated when they spoke with the Planning Commission in October, the Planning Commission made a recommendation that the existing fence that surrounds the KinderCare outdoor play area be extended down to the street as an additional physical separation and barrier between the existing day care use and the proposed development lot.

Mr. Whitmore stated access would be off of Stony Hill Road and directly aligns with the medical office building that is across the street. He stated it is the existing gravel driveway that provides access to Patterson Farm in

the back that will be repurposed and re-established. He stated it will be slightly widened to accommodate the necessary vehicles including patrons of the K9 and the Retail space, garbage trucks, emergency response vehicles, etc.; and all of those appropriate turning movements have been designed and circulated. He stated they have also included a Truck Movement Plan as part of the slides provided. He stated repurposing the existing gravel driveway will minimize the overall tree disturbance.

Mr. Whitmore stated they are proposing 34 parking spaces. He stated when you break down the use by Code, a dog kennel requires parking based on the number of animals and the number of employees, which is one stall for 8 dogs and one stall for each employee. He stated based on the operation of the proposed kennel plus the Retail use that would work out to a total of 48.3 parking spaces. He stated Ms. Miller had indicated that they have 15 parking spaces at the Horsham location. He stated for this location they would propose 20 spaces. He stated for the Retail space there is a requirement of 6.67 spaces per 1,000 square feet or 1 per 150 square feet of space. He stated they would prefer not to provide any more parking than necessary, and they are therefore proposing 4 stalls per thousand. He stated there is a Site Plan design wherein they can conform and provide the parking to satisfy the Zoning requirements; but in the interest of minimizing the development footprint, the impervious, tree disturbance, and land disturbance, they are proposing and would request relief from the Zoning Hearing Board to only provide the parking that they feel is necessary with all of the appropriate Testimony and proof put in place to justify that parking number.

Mr. Whitmore stated Ms. Miller had indicated that this is a fairly light-duty loading operation that they would require; and while the Code does require a specific designated loading stall be provided, relief is being requested to not provide that in the interest of minimizing impervious, the development footprint, etc.

Mr. Whitmore stated with regard to trash collection, there is a masonry block, decorative trash enclosure in the middle of the driveway so that a trash collection vehicle can pull straight in, back straight out, and enter the same way that they entered the property.

Mr. Whitmore stated while stormwater management is not necessarily a topic of Conditional Use, in the interest of planning and overall feasibility of design, a green, shaded-out shape has been shown on the Plan toward the back of the property within what was the access Easement that connects

Stony Hill Road to Patterson Farm which is already cleared for the existing driveway. He stated it would be appropriate for that area to be re-purposed in an effort to minimize tree disturbance and still satisfy the stormwater needs of the project and to provide consistency with the Stormwater Management Ordinance. Mr. Whitmore stated they have done some preliminary stormwater testing, and there are positive infiltration rates.

Mr. Whitmore stated they are proposing a fairly modest sign package similar to what exists at the adjacent day care. He stated they are proposing a free-standing 12' monument sign at the entrance and a wall-mounted sign at the main entrance. Mr. Whitmore stated the H/C Signage Code limits the number of signs to one 12 square foot sign, and that would be a request of the Zoning Hearing Board for relief to have two signs.

Mr. Whitmore stated from an ERSA standpoint, the only existing resource that is regulated by Zoning is the woodlands; and the intent of the overall project and site design is to minimize the footprint and minimize the impact to the trees.

Mr. Whitmore stated they put a lot of thought into the lay-out and tried to minimize the amount of relief necessary to accommodate the needs of the proposed development.

Mr. Rusk stated over the last year and half they have had discussions with staff, and they would leave it up to the Township whether they feel it is necessary to have a Subdivision adding that it does not make a difference to the owners whether or not there is a Subdivision, and they would be fine keeping it as one parcel.

Mr. Rusk stated Ben Mueller is their sound engineer who has summarized information in a report that was provided to the Board; however, there is also a much more extensive report that could be made available to the Board if they would like to have that as well.

Mr. Ben Mueller was sworn in. He stated he is with Ostergaard Acoustical Associates which is a consulting firm that focuses on noise control mitigation and evaluation. He reviewed his education and background working in the field for twenty-five years.

Mr. Mueller showed an aerial overlay with the Site Plan. The outdoor dog run area is shown on the left side. Distances were shown and the distance from the outdoor play area to the outdoor play area of the KinderCare is about 365', 385' south are the nearest single-family residences, and 270' southwest is the Senior Living facility.

Mr. Mueller stated the Lower Makefield Zoning Code has noise regulations in Chapter 200-66. He stated what is shown are common metrics seen for different jurisdictions. He stated the Code has provisions as to how to apply "impulsive" sounds which is applicable to the site since barking is impulsive having a period of less than one second. He stated the Code indicates that the limits apply at the property line where the source occurs based on the receptor categories; and for this facility, even if the subject facility is a Commercial receptor, if the neighbor is considered Residential that limit would be applied in that property line in that direction. He specifically noted Chapter 79 which talks about animals, and it prohibits animals from disturbing the peace by repeated loud noises and Animal Control would investigate such nuisances. Mr. Mueller stated there are no Pennsylvania or Bucks County Codes that apply to site sound emissions.

Mr. Mueller discussed the requirement for applying the standard at the property line at the source. He stated in this instance, they share a property line with the KinderCare; but in the other directions there is the entire right-of-way of a street, and the property lines in all directions are not specifically areas where a receptor would be and exposed to sound so some judgment would be required. He stated his focus is on upholding the health, safety, and well-being of the public; and while the Code gives levels and directives, they are introducing a new source to the area that will not result in widespread complaints or any negative impact.

Mr. Mueller stated dog barking is only going to occur in the daytime adding that Testimony was heard earlier from Ms. Miller discussing the hours of operation. He stated while there will be dogs there overnight, they will be put inside during the night. Adjustments are made for noise that occurs for only 5% of the hour because dog barking will not occur for more than a three-minute period in a given hour given the Testimony that if there is an incidence of barking, the attendant would remove the dog who is barking. He stated the goal is to strive to not exceed 60 at residences and 65 at Commercial based on the Code, the adjustment factors allowed, and applying the limits at the areas where public receptors will actually be.

Mr. Mueller stated they are adjacent to a local street with local street traffic and 65 would be a typical level for an active roadway. He stated they did ambient data monitoring which will be shown. He stated having an active streetway will help to mask and provide a blending of any barking that would be audible offsite.

Mr. Mueller showed a slide of the results of their analysis including the results of their visit to the K9 flagship site which is a larger facility than what is proposed in Lower Makefield. He stated while he was at that location, he was unable to hear the thirty dogs that were outside. He stated he also took sound measurements from the other side of a PVC vinyl fence while a dog was barking, and there were average maximum numbers of 77, with the highest being 80 dbd measured at 25'. He stated when that information was applied to the proposed facility, that level at the KinderCare would be around a 54 dbd average and 57 at maximum. He stated at the Senior Facility which is 270' away and has a direct line of sight to the outdoor activity area, it would be 56 average and 59 max; and for the residences to the south there would be levels of 53 on average and 56 maximum.

Mr. Rusk asked Mr. Mueller if he feels there will be any detrimental effect to the neighbors given the building, the location, the wooded area, the sound fence, etc. Mr. Mueller stated just as he did a projection based on data measured with the PVC fence, he wanted to provide an additional adjustment given that they know that the day care and the residences are significantly screened by the proposed building which will provide a considerable amount of reduction well beyond what the PVC fence showed in his data measurements. He stated instead of the PVC fence, they will also be using the Bufftech product which is a heftier fence which will provide more mitigation effects. He stated making those adjustments for the KinderCare and the residences, there are levels that would be below 50 with the highest being 46 and 47; and at the Senior Facility, the levels would be 53 on average and 56 maximum.

Mr. Mueller showed a slide detailing the Ambient Survey and an aerial of where the monitors were placed. He noted the graph of the time history minute by minute average level that was documented over a weekend a year ago, and it shows in blue the levels that were measured which were dominated by intermittent vehicle activity locally or at a distance which ranged from 65 at the highest during the daytime dropping down to 35 during the night. The gray line on the graph shows the maximum bark which is 56 at the Senior Facility and the average bark of 53 at the Senior Facility/. The gray line is well below

most of the daytime activity currently prevalent in the area, and only during the nighttime might the gray line become the dominant entity although there is not proposed to be any outside activity at the K9 Resort during those hours.

Mr. Mueller showed the graph for location 2 which shows similar results.

Mr. Mueller stated he feels they meet the Code in a way he finds to be a meaningful way to apply with the purpose to not have a negative impact on the area and to blend in with the existing conditions. He stated he has shown that the ambient is well above what a bark sound would be; however, in the instances that it is audible, it would not be an outlier for things that are already occurring in the vicinity.

Mr. Peter Spisszak was sworn in. He stated he is with Traffic Planning & Design and has twenty-five years' experience doing traffic impact studies, parking studies, and trip-generation studies.

Mr. Spisszak showed a slide related to the trip generation count done at an existing K9 Resort with a 120-dog capacity, and it was determined that based on that count the K9 Resorts would generate 57 a.m. peak hour trips and 52 p.m. peak hour trips. In addition to the K9 Resorts, they also looked at the 3,400 square feet of General Retail; and that trip determination was based off of the Institute of Transportation Engineers Trip Generation Manual which is the industry standard used. He stated as shown the Retail use would generate 14 a.m. peak hour trips and 36 p.m. peak hour trips. He stated the total for the site is therefore 71 a.m. peak hour and 88 p.m. peak hour. He stated that would be consistent with some other uses that are allowable in this Zoned District such as a medical office, restaurant, etc.

Mr. Spisszak stated at the proposed access on Stony Hill Road there are left-turn lanes that already exist on Stony Hill Road for this site. He stated the driveway would also be subject to a Highway Occupancy Permit they would need to get from PennDOT. He stated PennDOT standards for a Traffic Study are when you generate over 100 directional trips in an hour, and as shown on the slide, they do not meet that threshold. He stated PennDOT could still ask for an access analysis or something other than a Traffic Study. He stated typically when an access analysis is done it is to look at how the access would operate and whether or not turn lanes would be required, and there are already left-turn lanes existing.

Mr. Spisszak stated from a traffic perspective, he does not feel this proposal would be detrimental to the area or cause any undue congestion. He stated the driveway will have to be designed appropriately and approved by PennDOT.

Mr. Rusk stated they feel that this is a use needed in the Township. He stated this is the last piece of ground in this area, and they would like to protect the wooded area. He stated they do not feel there is a need for more banks, restaurants, or apartments in this area; and with this use, they can save a lot of trees, provide a service that the residents need, and is a use that fits with what was envisioned for the area being a neighborhood, community use.

John Fenningham, attorney representing the Applicant, asked that the experts be qualified – Mr. Whitmore as a site engineer, Mr. Mueller as an acoustic sound engineer, and Mr. Spisszak as a traffic engineer; and this was acceptable to the Board.

Ms. Carlton marked the Applicants Exhibits as follows: The video was marked as Exhibit A-1. The slides presented by Ms. Miller were marked as Exhibit A-2. The presentation of slides from Mr. Whitmore were marked as Exhibit A-3. The presentation of slides from Mr. Mueller were marked as Exhibit A-4. The presentation of the slide from Mr. Spisszak was marked as Exhibit A-5.

Mr. Fenningham stated before the session started, the Township solicitor was presented with a letter from the KinderCare; and that letter is already in the Board's package, and is the ninth page of Exhibit A-4. He stated it is a letter from the KinderCare that has been there for 20 years indicating that they have no objection to the K9 Resort on the premises; and that they consider the use complementary to their operations and activities and feel that people may drop off their children and then drop off their dogs.

Ms. Carlton marked this letter as Exhibit A-6.

Mr. Fenningham stated the kennel as a defined use is permitted in the Commercial (C) District; however, there is no available space to accommodate the K9 Resort in the Township in the C District. He stated they have come before the Board of Supervisors to ask for the Conditional Use based on the presentations tonight, and he feels that the simplest answer to a Use Application before the Zoning Hearing Board would be that it was self-imposed. He stated it possibly could be futile to seek that relief when there are five elements of a Variance relief all of which must be satisfied. He stated they welcome the opportunity to come before the Board of

Supervisors because they allow a Conditional Use Application in the H/C District, and they are taking of advantage of that to ask the Board to consider that the presentation of this use and occupancy shows that what they are proposing is not equivalent to a kennel.

Mr. Fenningham stated the kennel that currently exists in the area is a free-roaming kennel; and the Testimony tonight has indicated that what they are proposing is not a free-roaming facility but is a controlled facility with state-of-art controls over the dogs and the noise.

Mr. Fenningham stated the provisions for Conditional Use are not only in Section 200-36 B but also in XXII Section #291. He stated tonight they have heard that the Applicants are willing to address compliance with other applicable requirements under Ordinances within the Township. He stated Mr. Rusk had discussed going before HARB for the exterior of the facility, and Mr. Whitmore noted the issues of Zoning relief which Mr. Fenningham feels are secondary to the primary Conditional Use Approval that they are asking the Board of Supervisors to grant. Mr. Fenningham again noted that this is not a kennel, and that is why they are before the Board for a Conditional Use Approval because the Ordinance does not address a state-of-the-art pet care facility. He stated this is a franchise and not a single-owner operation, and the franchise has strict standards that it requires for the purpose of its good name and its National operation. He stated the Board can be assured that this operation will be consistent with the franchise standards. He stated it was also indicated this evening that if Ms. Miller were to step away from the operation, another franchisee subject to those same standards would be the entity to come in and operate this K9 Resort.

Mr. Fenningham stated he feels they have addressed the wording of the Conditional Use which is the spirit, the intent, and the history. He stated they are trying to provide a service to the community which they feel is needed.

Ms. Carlton asked for a further discussion about the proposed Retail operation. Mr. Rusk stated their goal with the Retail is to keep it in the same nature as the K9 Resort. He stated they are hoping to attract other pet operations such as grooming, pet food, etc. as they feel that there is a need for that within the Township. He stated what they are looking at would be either a human service or a pet service. He stated they would stay within the permitted uses within the Zones.

A gentleman named Chris stated he feels that a dog boarding place is needed in Lower Makefield. He stated he has used the facilities currently in Yardley, and was very dissatisfied with them. He stated currently when he travels he has to travel about one hour away to drop his dogs off to be boarded.

Mr. Brad Berwald stated he is a resident of Yardley, and he has faced challenges boarding his dogs in a safe, efficient, and convenient manner. He stated he travels extensively for work and has used the facility in Horsham even with the challenge of the distance. He stated he would like to see a facility in Lower Makefield. He stated he feels what is proposed is along the lines of what the community expects in terms of quality and benefits. He stated he knows what a kennel is, and this is not a kennel.

Ms. Carlton stated a Conditional Use requires that such use shall be of the same general nature and character as were the uses in the original Village and that such use is in accord with the spirit, purpose, and intent of the Historic/Commercial District. She asked Mr. Rusk to discuss how he feels they meet those criteria. Mr. Rusk stated originally most of Lower Makefield was farmland. He stated this corner was the "center of attention," and there was a gas station, some farm buildings, and a small village. He stated the permitted uses are a blacksmith and a tinsmith which are rural uses. He stated if they were to be compared to a kennel, a kennel would be in a rural/Colonial setting where animals were taken care of. He stated they feel that because they are adjacent to the Patterson Farm, the open space, and a heavily-wooded area, this type of use will blend in with the environment and not detract from the area.

Mr. Fenningham stated the Township has listed prohibited uses, and what they are proposing is not like those prohibited uses. He stated the proposed use is complementary to the day care, and they are not inconsistent with the existing uses. He stated the traffic engineer indicated that there will not be any substantial impact, and there will also be a PennDOT Highway Opening Application even though there are curb cuts there now for the day care center. He stated he feels they are consistent with the activity that goes on in this area of the Township and believes that it is consistent with the spirit and the intent of the Historic/Commercial District.

Mr. Kratzer stated Mr. Mueller was comparing a single dog bark to the ambient noise levels. He asked what happens if there are multiple dogs barking at the same time. Mr. Mueller stated while technically the levels that were presented and overlaid were for just a single dog bark, even if there was a situation where 20 dogs all barked at the same time, the same time does not overlap in the same

way it would be if he were to turn on two air-conditioning units. He stated other dogs barking would just increase the duration of the occurrence of barking. He stated if there were two dogs barking at exactly the same time such that they would overlap in level, there would be a cumulation of sorts. He noted even if this were to occur, there still would not be a negative impact given the other conditions he had discussed. He stated if dog barking were to occur, it is the prime directive of the staff to deal with that in a swift manner. He stated while they could hear an occasional bark, it would not result in a “cacophony” or be markedly different than the results he discussed tonight.

The Record was closed at this time.

Ms. Carlton stated the Board has forty-five days to prepare a written Decision, and that will be mailed as required by Ordinance and Statute to the Applicant and to Mr. Fenningham.

Approve Issuance of a Certificate of Appropriateness for the Existing and Proposed Buildings at 1674 Edgewood Road (“The Point”)

Mr. Majewski stated this project has been under consideration for a number of years. He stated the Applicant has gone to HARB seven to eight times. HARB recommended approval of the Certificate of Appropriateness for the Plans with the stipulation that the porch roofs be metal roofs on the reconstruction/restoration, that trim on the windows be redefined and the enlarged peaks be consistent throughout the process and be drawn up and presented to HARB with dimension and details, and that a set of stairs be on the Point house. Mr. Majewski stated the Applicant is willing to comply with all of those comments and already has their architect working on the Plans to make those revisions. Mr. Majewski stated this will allow the developer to renovate and restore the existing house at the corner known as the Ishmael House, demolish and replicate the existing house called the Quill House, and construct three new buildings per the Plans which were approved by the Board of Supervisors last year.

Ms. Blundi moved and Mr. McCartney seconded to approve the issuance of a Certificate of Appropriateness for the existing and proposed buildings at 1674 Edgewood Road (“The Point”).

Mr. Grenier stated he understands that this is the last of the approvals to allow the project to move forward, and Mr. Majewski agreed. Mr. Grenier stated HARB has done a lot of work on this and agreed to issue the COA with items to be covered which it appears the Applicant has agreed to, and Mr. Majewski agreed.

Ms. Blundi stated she understands that they have included in the documents that they are to “save the old building first.” Mr. Majewski stated the Land Development Agreement requires that they first obtain Building Permits for the existing house and the house to be replicated prior to getting any Permits for any of the other buildings, and that no Occupancy Certificates be issued for any buildings until they get the one for the building to be renovated and the one to be replicated.

Mr. Grenier asked what happens if they start to move forward without following the order Mr. Majewski has just discussed. Ms. Carlton stated a number of things that can be done including not issuing Permits, issue Stop and Desist Orders, etc. Mr. Grenier stated there is some history in the Township where other Agreements were made that were not followed through with going back years, and there is concern when there is a historic building. He stated he wants to make sure that there is recourse, and the Township can enforce all the provisions of the Land Development Agreement. Ms. Carlton stated it is incumbent upon the developer to abide by the Agreement, and for the Township to keep an eye on it.

The Motion carried unanimously.

ENGINEER’S REPORT

It was noted that the Engineer’s Report was included in the Board’s packet. The Board had no comment at this time.

MANAGER’S REPORT

Approve Resolution #25-02 Establishing and Changing the Lower Makefield Township Tax Collector’s Compensation for the Term Beginning January 1, 2026

Mr. Kratzer stated this change would be effective at the next term of the Municipal Tax Collector, and the local Tax Collection Law requires action on

this matter prior to February 15 of the year of a Municipal Election. The request was received from the current Tax Collector. Mr. Kratzer stated they compared the proposed compensation to that of peers throughout Bucks County, and the compensation figures are consistent with market.

Mr. Lewis moved and Ms. Blundi seconded to approve Resolution #25-02 establishing and changing the Lower Makefield Township Tax Collector's compensation for the term beginning January 1, 2026.

Mr. McCartney asked the existing versus the proposed. Mr. Kratzer stated for a "regular," the existing is \$2.85 by Resolution which was adopted some time ago; however, there was some confusion at that time since the Resolution established it at \$2.85 but the action taken by the Board of Supervisors in terms of the Minutes reflected \$2.15. He stated the current Tax Collector has just been charging the \$2.15, and this Resolution proposes \$4 for a regular and interim Tax Bill issued. Mr. Kratzer stated this is consistent and even in some cases below the compensation paid to other Tax Collectors in Bucks County.

Mr. Grenier stated in addition to compensation, we want to make sure that we are maintaining office space and Internet to the Tax Collector. Mr. Kratzer stated the provision of office space is referenced in the Resolution as the Township continuing to provide the Tax Collector at no additional cost to the Tax Collector office space at the Municipal Building as utilized at the time of the adoption, and that such office space shall include applicable utilities, telephone service, and Internet service. Mr. McCartney asked if that is also consistent with other Municipalities. Mr. Kratzer stated it is in some cases; but in other cases, their compensation is higher but they are charged rent.

Mr. Lewis asked that the Tax Collector get the restoration of a Township-based e-mail address to insure that people receiving an e-mail from the Township Tax Collector can verify that it is actually coming from the Tax Collector, and Mr. Kratzer stated they can look into that.

Motion carried unanimously.

PARKS & RECREATION

Approve Acceptance of the Proposal from If It's Water, Inc. (COSTARS Contract #016-E23-302) for the Replacement of the Pool Filter (Intermediate Pool) at a Cost of \$84,017.46 (Budgeted Item – Park & Recreation Fee-In-Lieu Fund)

Ms. Tierney stated this is part of a three-year program to replace all of the filters at the Pool. She stated this filter is from 1981, and we have doubled its useful life.

Ms. Blundi moved and Mr. Ross seconded to approve acceptance of the proposal from If It's Water, Inc. (COSTARS Contract #016-E23-302) for the replacement of the Pool filter (Intermediate Pool) at a cost of \$84,017.46 (Budgeted Item – Park & Recreation Fee-In-Lieu Fund).

Mr. Grenier stated there are a number of items related to the Pool being considered this evening, and they are being paid from different funds. He stated the goal of the Board when it comes to the Pool, the Golf Course, and other things where there are specific funds, is to make them self-sustainable. He stated he would like to see a long-term plan for operations and maintenance, budgeting, etc. for the Pool fund so that we do not have to use Park & Rec Fee-In-Lieu Funds and so that those funds can be used for other Park & Recreation resources that we need to fix. He stated he hopes that this is the last year that we have to use Fee-In-Lieu funds for the Pool.

Ms. Tierney stated a lot of the projects are done for this year, and she plans to work with the new Chief Finance Officer, Ms. Bhandary, and the Park Board to develop a Plan.

Motion carried unanimously.

Approve Acceptance of the Proposal from EAW Security (COSTARS Contract #040-E22-163) for a Security Camera System at the Pool at LMT at a Cost of \$19,762.11 (Budgeted Item – Pool Fund)

Ms. Tierney stated the camera system is antiquated, and is on two different system. She stated they want to bring this up to current standards and fill in some of the gaps since there were two incidences at the Pool this summer

and both of them were not visible on the cameras. She stated the Police Department will have access as they do with the current cameras. She hopes that in time, we will be able to switch all of our cameras to this same more modern security system. She stated Middletown Township uses this system, and she was impressed with their presentation.

Ms. Blundi moved and Mr. Lewis seconded to approve acceptance of the proposal from EAW Security (COSTARS Contract #040-E22-163) for a security camera system at the Pool at LMT at a cost of \$19,762.11 (Budgeted Item – Pool Fund).

Mr. Grenier stated we are looking at IT changes, and he wants to make sure that this integrates well. Mr. Kratzer stated there are no concerns with integration. Mr. Lewis asked if this downloads the videos to the cloud where we can access it or do we need on-site storage for video. Ms. Tierney stated she believes that there will be on-site storage and cloud storage as well.

Motion carried unanimously.

Approve Acceptance of the Proposal From Integrated Turf Management, Inc. (COSTARS Contract #029-E22-099) for 2025 Athletic Field Management/ Maintenance Program (Fertilization and Weed Control) at a Cost of \$26,221 (Budgeted Maintenance Item – Park & Rec Operating Fund)

Ms. Tierney stated this is for the turf grass at the athletic fields as we are changing how the fields are maintained. She stated this is for a turf specific vendor and there will be four treatments throughout the year. She stated she will most likely be back before the Board of Supervisors for some remediation needed after the drought last year and repairs at some of the fields to make them safe. She stated \$120,000 was budgeted in total for the year for field maintenance. Ms. Tierney stated she has been partnering with the Leagues more carefully, and they will be working through the same vendor so there will be a better system.

Mr. Grenier asked if the Leagues will be paying for other treatments during the year. Ms. Tierney stated if the Leagues see a big project that is outside of general maintenance or a safety issue that they are requesting that is reasonable, we will work with the vendor and will partner. Ms. Tierney stated YMS wanted field repair in December so that the field would be ready in the spring at a cost of \$7,000 for one field, and YMS paid for that directly.

Ms. Blundi moved, Mr. Lewis seconded and it was unanimously carried to approve acceptance of the proposal from Integrated Turf Management, Inc. (COSTARS Contract #029-E22-099) for 2025 Athletic Field Management/ Maintenance Program (fertilization and weed control) at a cost of \$26,221 (Budgeted Maintenance Item – Park & Rec Operating Fund).

PUBLIC WORKS

Approval of RVE's Proposal for Supplemental Design Services Relating to the Woodside and Taylorsville Crossing Trail Crossing Project at an Additional Cost of \$15,250

Mr. Fuller stated Design Services was an RFP, and the Township received three proposals. The staff reviewed the proposals and recommend the Remington & Vernick proposal. He stated everything included is additional work that was outside the original scope of services most of which relates to the deletion of guiderail to allow the crossing to take place. He stated it was determined that there was a requirement for a headwall extension which is what the guiderail was protecting. That would require a lot of Permitting, and coordination with PennDOT to get the headwall extended within the right-of-way and allow the crossing design to continue. Mr. Fuller stated after the staff reviewed the proposal, they wanted to confirm certain items with the engineer.

Mr. Kessler was present. Mr. Fuller stated they wanted to confirm that the additional scope of work is to be included with the original not-to-exceed amount of the original Contract value with RVE. He stated the other item was that the amendment is inclusive for all known, necessary scope modifications i.e. that this is basically for the headwall extension work and that there is no other Permitting that is going to have to take place for that, and they have all of that in this scope price. Mr. Fuller stated they also wanted to confirm that with deliverables, we will have a full Permitted headwall extension, and there are no other meeting costs for DEP, coordination costs, as well as no additional survey work and no additional increase for any of the Construction Management/Construction Observation for this additional work to the best of Mr. Kessler's knowledge to this point.

Mr. Kessler stated this supplement is for Phase 2 of the Design Phase and it is for the design work that would be extending of the headwall. He stated the reason for that is to have it outside the clear zone which allows the guiderail to be removed to the point where they can have the trail aligned the way

that PennDOT prefers. He stated the survey was done up to the right-of-way line around the intersection, and this work will still have the project stay within the public right-of-way. He stated there is a GP4 that is associated with extending that discharge point; and they see that as a fairly straight forward Permit with the DEP since the flow is not changing, and it is just the physical location of the headwall.

Mr. Lewis moved, and Mr. Ross seconded to approve RVE's proposal for Supplemental Design Services relating to the Woodside and Taylorsville Crossing Trail Crossing Project at an additional cost of \$15,250.

Ms. Laurie Grey stated she is a Lower Makefield Township resident. She asked if this is an additional cost that was not Budgeted. She asked where the funds are coming from. Mr. Fuller stated the project as a whole was a Budgeted project, and we are still within the Budgeted amount for the crossing. He stated until construction, we will not know if we are over or under Budget, and the engineering is part of that.

Mr. Grenier stated the reason for the Change Order is that PennDOT asked for changes to the original design. Mr. Fuller stated there was a refuge island and a slightly different angle; however, PennDOT wanted to alter the location. He added that in order to alter it, we have to remove the guiderail; and in order to remove the guiderail, we have to push the headwall back that it was protecting.

Mr. Kessler stated this relates to the trail at Woodside and the Joint Toll Bridge Commission property, and this will connect those two so that there is a continuous connection for those in the area and then connect to the network that goes into New Jersey. He added that with the work they have coordinated with PennDOT, PennDOT has given direction that they do not want the refuge island; and there will be a cost savings as a result of the final lay-out and being able to maintain the existing signal equipment. He stated with the guardrail being removed, you are able to go around the existing mast arm and other things that are there which are expensive to move.

Mr. Kessler stated with regard to the headwall extension, the property owner that is just outside of the right-of-way, currently has some concerns with the water that comes out of the headwall; and by shifting the headwall, we can modify the way the water is able to dissipate and it will be an added benefit without really any added cost to the project to address this issue.

Motion carried with Ms. Blundi abstained.

SOLICITOR'S REPORT

Ms. Carlton stated that the Board met in Executive Session prior to the meeting to discuss an employment matter and litigation matters.

Ms. Carlton stated they received comments this week from Bucks County Planning Commission on the proposed Historic Demolition Ordinance. These will be reviewed in depth, and they will make any modifications necessary and come back before the Board of Supervisors.

SUPERVISORS' REPORTS

Mr. Grenier stated the Stormwater Management Committee received updates since their last meeting, and a Committee meeting will be scheduled to review the Ordinance.

Mr. Lewis stated the Human Relations Commission will be meeting with the State on February 18 to receive training as part of the start-up process.

Ms. Blundi stated the Historical Commission found two gravestones within the wall at the Slate Hill Cemetery, and they will be re-located into their proper place. She stated the Trenton Airport Review Commission wants the community to be aware that there is some construction taking place at the Trenton-Mercer Airport, and they are asking for an opportunity to present their concerns to a wider audience.

APPOINTMENTS/REAPPOINTMENTS TO BOARDS AND COMMISSIONS

Mr. Grenier stated while there are no appointments to be made this evening, he advised those interested in volunteering to serve on a Board or Commission that there are several openings that can be seen on the Township Website and on social media.

ADDITIONAL PUBLIC COMMENT ON NON-AGENDA ITEMS

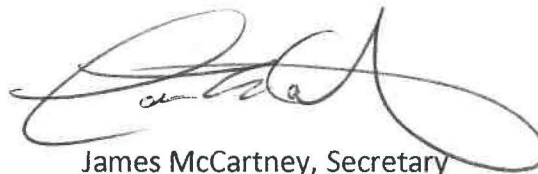
Ms. Laurie Grey stated she is a resident of the Township. She stated typically the Township engineer gives a Report during the meeting; however, tonight it was indicated that the Report was in the Board's packet, and no report was given. She asked what was in the Report, and if the public can see what was in it. Mr. Grenier stated the Board always has the Engineer's Report in their packet. Ms. Grey stated usually the Township engineer is seated with the Board and makes comments. Mr. Grenier stated that is only when the Board has questions, and there was no need to have the engineer provide updates on numerous projects. He stated the Board can ask questions about the Report or other items; and that is why the Township engineer is present, and will be called up to the dais if there are questions as was done this evening with regard to the Change Order.

Ms. Grey asked if the public can see the Engineer's Report. Mr. Grenier stated it is just an update on projects that they are reviewing; and they may not be just Township projects, and it could be updates on developers going through a process.

Mr. Kessler stated if any Township residents have any questions, they can reach out for information they might be curious about. Mr. Grenier stated residents should never go directly to the engineer, and they should go through the Township staff.

There being no further business, the meeting was adjourned at 10:15 p.m.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'James McCartney', written in a cursive style with a large loop at the end.

James McCartney, Secretary