

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES – MAY 21, 2025

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on May 21, 2025. Mr. Grenier called the meeting to order at 7:50 p.m. and called the Roll.

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 that 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 Lower Makefield Township's Environmental Advisory Council with the participation of the Yardley Refillery is sponsoring a free microplastics lecture from Mike Weilbacher, a noted naturalist, on Saturday, May 13 at 10:00 a.m. at the Township Building.

Mr. Grenier stated on Sunday, June 1, 2025 Amy's Kisses will be hosting their 11th Annual Walk to Remember at Tyler State Park. This meaningful event raises awareness about domestic violence while inspiring change through education. Participants will take steps to create a future free from violence, standing together in remembrance and hope. Register at www.amyskisses.org.

Mr. Grenier congratulated everyone who participated in the Primary yesterday and the winners. He thanked those who will not be moving onto the General Election for their service to the Township over the years.

PUBLIC COMMENT ON NON-AGENDA ITEMS

Mr. Uri Feiner stated he is a Yardley Borough resident, Vice President of Borough Council, and the Chair of Public Works. He thanked the Township for the work being done on Taylorsville Road. He stated Yardley Borough will hear from PennDOT what will hopefully be the final round of revisions by PennDOT so that they will be able to go out to Bid for the North Main sidewalk Phase III and the drainage which will tie in with the work that Lower Makefield is doing.

Mr. Feiner stated he feels the most crucial gap in walkability between the two Municipalities is the West Afton Avenue sidewalk as it links thousands of people. He stated Lower Makefield residents come to Yardley to enjoy downtown Yardley and the restaurants, etc. and Yardley residents, particularly the younger residents, want to get to the Library, the parks, and the Pool. He stated part of the gap is in Lower Makefield and part is in Yardley, and it would be good to get that gap closed.

Mr. Feiner stated Yardley would like to apply for a Department of Community and Economic Development of Pennsylvania Grant out of the Multi-Modal Transportation Fund Program due July 31. He stated this year the match requirement is waived. He stated Yardley Borough would like to apply in partnership with Lower Makefield since with two Municipalities applying, the chances of receiving the Grant are much higher. He stated he does not know how much longer there will be the opportunity of no match. He stated Yardley Borough Council has agreed to do this if Lower Makefield will partner with them.

Mr. Grenier stated from a sidewalk perspective their priority is Taylorsville Road in front of the Maplevale neighborhood at a cost of about \$2.5 million; and only about 20% of that is funded so far. He stated after that is fully funded, they will start filling in other gaps. Mr. Grenier stated the Taylorsville project is their priority because of pedestrian access, safety, stormwater management, and flooding issues that need to be addressed.

Ms. Hannah Shock stated she is a Lower Makefield Township resident and lives on Sandy Run near the corner of Afton. She stated she is in support of the Afton sidewalk project. She stated she agrees that Taylorsville is very important to finish, but the West Afton area is very dangerous so it is a safety issue as well.

APPROVAL OF CONSENT AGENDA ITEMS

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

Approved the Minutes for the May 7, 2025 meeting

Approved the Warrant List dated May 21, 2025 in the amount of \$995,189.77 (as attached to the Minutes)

Approved the March, 2025 Interfund Transfers in the amount of \$3,027,143.35 (as attached to the Minutes)

Approved the April, 2025 Interfund transfers in the amount of \$908,107.10 (as attached to the Minutes)

Approved authorizing the Township Manager to enter into a 26-month Service Agreement with TORO NSN for the existing irrigation system at Makefield Highlands (Budgeted expense)

Acknowledged the Grant of the Extension of Time for the Torbert Subdivision until July 17, 2025

Approved authorizing the acceptance of Bids for surplus items received via Municibid

Approved authorizing the Township Manager to execute a Side Letter Agreement between the Township and the Independent Association of Lower Makefield Township Public Works Employees relating to the Parks & Recreation Shift

COMMUNITY DEVELOPMENT

Approve Conditional Preliminary/Final Land Development and Major Subdivision Plan for Woodbury Grove Investors, LP (Wright Farm Plan #696)

Mr. Grenier stated there is a recommendation of approval from the Planning Commission.

Mr. Edward Murphy, attorney, was present with Mr. Justin Geonnotti, engineer, and Mr. Joseph DeLuca. Mr. Murphy stated he would like to discuss what steps have been taken since the Planning Commission meeting when they received the recommendation.

Mr. Murphy noted the Plan being shown is the latest Revised Plan which was submitted late last week. He stated what is not shown is the suggested right-out movement that was the subject of discussion at the Planning Commission.

He stated the suggestion by the Planning Commission was that Township staff and Administration discuss whether that option was worth further discussion with PennDOT to determine its approvability. Mr. Murphy stated the following week after the Planning Commission meeting, the Applicant was advised that there was no support or interest on the part of the Administration to pursue that further, and the Plans have been revised to remove that.

Mr. Grenier stated as the Planning Commission Liaison, he brought this issue up to the Board of Supervisors at the last public meeting to get feedback from the Board, and the Board unanimously agreed that they were not in support of the right-out movement.

Mr. Murphy stated since the Planning Commission meeting, PennDOT has issued a Permit for the use of Patterson Lane where it intersects the By-Pass for both emergency access and a construction entrance. Copies of that Permit have been provided to the Township staff.

Mr. Murphy stated there was discussion at the last Planning Commission meeting about the Tree Survey that was performed previously; and based on comments and feedback received at the Planning Commission meeting, they had their arborist go back out and expand the scope of the Tree Study to include every tree on the site. He stated they provided an updated report of the arborist's analysis on the health of the trees to the Township. Mr. Murphy stated regardless of the health of the trees, noting that many of them are dead, diseased, or dying, they have not sought nor are they seeking any credit for those trees; and they are going to replace all of the trees that would be removed in accordance with the Tree Replacement Ordinance.

Mr. Murphy stated there was discussion over a number of Planning Commission meetings about the treatment of the front area that was labeled in an earlier iteration of the Plan as "available for farming." He stated prior to the last Planning Commission meeting, they received feedback that this would not be an opportune area for farming; and they were asked if they would entertain the reforestation of the area. Mr. Murphy stated the Plan being shown depicts the entirety of the area being reforested in accordance with a Reforestation Plan that was submitted to the Township. He stated it shows about 1,110 new trees being planted in that approximately 10 acre area.

Mr. Murphy stated there was a question as to how closely the Plan would comply with the current Stormwater Ordinance which was not in effect at the time the Plan was submitted. Mr. Murphy stated they had previously advised

the Township that the Plan as designed without the reforestation element would meet about 75% of the criteria in the enhanced new Stormwater Ordinance even though it does not apply to this Plan. He added that once the reforested area matures in several years, based on engineering criteria, that would increase the ability to comply with the current Ordinance by another 10%.

Mr. Geonnotti stated the stormwater design is conservative from the start. He stated it is a farm field today, and as part of the calculations they have to treat it as a meadow condition so the run-off that they are adhering to from a pre-development condition is significantly less than what leaves the property today. He stated the stormwater management system has already been over-designed; and the additional 1,100 to 1,200 trees that they will be planting in the open space in addition to the other trees already being installed as part of the Ordinance, will bring them very close to compliance with the new Ordinance as the trees mature.

Mr. Murphy stated they comply with the new Ordinance as to rate, and it is only as to volume that there would be a shortfall. Mr. Geonnotti stated water quality has also been met under both conditions, and 1,100 more trees would just make it better.

Mr. Murphy stated they had previously shown a portion of the northern boundary line of the site with the Farmland Preservation piece as being buffered. He stated there was a comment made at the last Planning Commission meeting about extending that buffer along the entire northern common boundary line, and the Plan now shows that on the Applicant's lots, but not on the Farmland Preservation property side. He stated that will present a consistent buffer along the whole northern boundary.

Mr. Murphy stated there was also discussion about the status of Patterson Lane. He stated further research has been done to understand the current status and what would be proposed. He stated originally Patterson Lane was a private drive pre-1960 when the area of I-95 was condemned. He stated before the condemnation, Patterson Drive extended on the east side of what is I-95/I-295. He stated with the advent of the condemnation for 95, the private lane was eliminated, and the service road shown in yellow on the Plan was created as part of the PennDOT condemnation and labeled as a service road. He stated at some point after that Lower Makefield Township took control of Patterson Lane, and it was confirmed that the Township is receiving Liquid Fuels payments annually from PennDOT reflecting its status as a road that is owned and maintained by the Township.

Mr. Murphy stated once the project is built, the Applicant/HOA will have ownership of Patterson Lane and maintain it in its current location. Mr. Geonnotti showed on the Plan where they propose to put a bollard for emergency purposes. Mr. Murphy stated as part of their obligation to maintain Patterson Lane, the Applicant has agreed with the Administration to post a \$25,000 Maintenance Escrow at the commencement of the project to insure that Patterson Lane will be maintained by the HOA. He stated this will be a “rainy day fund” in the event the HOA fails to meet their obligation to maintain it.

Mr. Geonnotti stated there was discussion at the Planning Commission about what would change about Patterson Lane after development. He stated Ms. Dilliplane had been present at that meeting and expressed concern about her property that is at the top. He showed an Exhibit with a line from the intersection at the By-Pass up to the property at the top, and there will be no modifications to that road, and the access will be unrestricted as it is today. He stated the only thing they are adding is a driveway extension if Ms. Dilliplane wants to take access to her property through the new development, but it will be chained and bollarded off for emergency-access only. He stated emergency vehicles will be able to come off of Patterson Lane, and they have the PennDOT HOP Permit which allows them to do that. He stated residents of the community would not be able to come and go through Patterson Lane, and the chain and bollard will remain in place at all times.

Mr. Grenier asked if Patterson Lane is currently in good shape with regard to paving and drainage. Mr. Geonnotti stated there is no need for improvements at this time. Mr. Grenier stated improvements and repaving would be the responsibility of the HOA, and Mr. Murphy agreed.

Mr. Murphy stated there was previous discussion about the Waivers, and they have not changed.

Mr. Grenier stated Patterson Lane is mostly access for the Dilliplanes; and he asked what recourse would the Dilliplanes have if there was the need for repaving, etc. and the HOA did not want to or was slow in making those repairs. Mr. Murphy stated he assumes the Township solicitor will enter into a formal Maintenance and Operations Agreement with the HOA to insure whatever protocol the Township wants to set up to insure that the issues are addressed promptly. Ms. Carlton agreed adding that the Township would have the ability to monitor it and make the decision whether or not it is acceptable and contact

the HOA to make the necessary repairs. Ms. Carlton stated if the HOA does not, there is the \$25,000 Escrow which she presumes will be replenished if the Township is required to make repairs, and Mr. Murphy agreed.

M. Grenier stated there was previous discussion about the road going from a public to private road and the legality of that. Mr. Murphy stated it is legal. He stated for many years the Township has been collecting Liquid Fuels; however he is not sure that Title actually ever changed as they never found any document that transferred Title from PennDOT ownership. He stated there is no issue with taking over a public road as that happens frequently, and Ms. Carlton agreed. Ms. Carlton stated their searches end at a point where there is no clear cut evidence and no Recording that shows that the Township owns that property.

Mr. McCartney moved and Ms. Blundi seconded to approve the Preliminary/ Final Land Development and Major Subdivision Plan for Woodbury Grove Investors, LP (Wright Farm Plan #696.

Mr. Lewis asked how far up the noise barriers from 295 go. Mr. Geonnotti stated the noise barrier stops at the Dilliplane property.

Mr. Lewis asked if the Fire Marshall approved the 30' cartway width and Waivers for driveway design. Mr. Geonnotti stated at the connection to Surrey Lane what they were going to do originally from a traffic-calming perspective was keep the road width the same a 30' and put a median in the center. He stated there were concerns about speeding and the connectivity from the existing neighborhood, and they were proposing to shrink up the cartways to slow down the flow of traffic; however, the Fire Marshall indicated they needed the full width of the travel lane. Mr. Geonnotti stated the concession at the Planning Commission was that they would make the lanes on either side of the median a little wider although still not the full width required, and the Fire Marshall was fine with that.

Mr. Lewis stated the Code requires 19 test pits, and they are asking for a Waiver for 13; and he asked for further clarification on that. Mr. Geonnotti stated this is an issue in the Township as the Ordinance which requires that is strictly based on acreage and requires a certain number of tests per acre. He stated stormwater systems are designed to be at localized low points and natural drainage patterns. He stated they found that infiltration on this site was not

viable no matter how many test pits they dug as the soil was consistent throughout the whole profile site, and it did not make sense to do additional test pits. He stated the stormwater design that they are proposing is not based on infiltration. He stated the Waiver requested is based on their geotechnical engineer's experience that additional test pits would still result in the same decision. Mr. Lewis asked how the test pits were done. Mr. Geonnotti stated it was double ring infiltration.

Mr. Lewis stated the basins have to drain within 24 to 72 hours, and it appears that they are at about 85% of the new Ordinance, and he asked if that was modeled. Mr. Geonnotti stated everything was modeled and reviewed by the Township. Mr. Lewis asked the estimate in terms of how quickly things would drain based on different weather events. Mr. Geonnotti stated it varies based on the storm, and they meet the Ordinance requirements. He stated they are bio-infiltration/evaporation basins/rain gardens, and they operate under a different criteria; but they were designed according to the Township Ordinance. He stated they have their PADEP NPDES Permit, and the stormwater design was reviewed and approved by the Township engineer.

Mr. Lewis stated when they looked at this Plan previously there were fewer trees in the open space area, and they are now planting 1,100 trees. He asked if they will get past the 85% mark in 10 to 15 years as those trees mature. Mr. Geonnotti stated every tree gets a certain quantity of volume reduction; and unless they plant more trees, they would not get more credit according to the PADEP Manual which is their governing body. He stated since they ran the calculation, they did extend the top buffer the entirety of the northern property line so there are additional trees being planted, and they may be closer to 85% to 89% once those trees are added in.

Mr. Lewis stated the conveyance design system had pipe velocities under the 2.5' per second minimum, and he asked if they were looking for smaller pipes for conveyance. Mr. Geonnotti stated the site has a lot of areas which are relatively flat, and they are bringing in some fill to make the design work. He stated the flatness of the pipes and some of the limited drainage areas getting to that pipe result in a flow velocity in the pipe that is less than the design requirement. He stated the stormwater design has been designed to accommodate the 100-year storm as have the basins; but the Township's Ordinance has a requirement that the velocity in the pipe cannot be "a less than" for sediment built out; but they do not have a concern with the way this system is designed and what is getting to the pipes. Mr. Lewis stated he

understands that Mr. Geonnotti is saying that he is getting enough flow that he is not worried about sediment in the pipe; and Mr. Geonnotti stated the velocity is based on sedimentation, and that is not a concern.

Mr. Lewis stated he asked about this because Public Works was working in a neighborhood pulling out sediment from a stormwater inlet so they are looking at that.

Mr. Lewis asked about the Variance with regard to reducing capture efficiency below 95% for curb inlets. Mr. Geonnotti stated the Township Ordinance has an outdated principle for design. He stated in order to design a stormwater inlet along the curb line that would have a 95% capture for a subdivision like this, they would need to have inlets every 50' to 75' along the entire length. He stated PennDOT and AASHTO, PennDOT's design body, have a requirement that the spread of flow down a road during a storm cannot exceed one half of the travel lane. He stated their travel lanes are 15' wide, and the flow along the curb line cannot exceed 7 ½'. He stated to do a 95% capture rate, that would mean that 95% of the flow during all of the storm events cannot by-pass that inlet and go to the next inlet which is a nearly-impossible design requirement to satisfy. He stated they are asking to be able to satisfy the PennDOT and AASHTO design versus the 95% capture.

Mr. Lewis asked Mr. Geonnotti if he is suggesting that the Township's new Ordinance is not viable; and Mr. Geonnotti stated the new Ordinance only deals with volume and water quality, and this is a stormwater conveyance design criteria which is not something that the Township has modified in the new Ordinance.

Mr. Lewis stated with regard to the setback and transition grading, they are requesting a grading within 5' of the property lines when 10' is required. He asked the impact in terms of stormwater management. Mr. Geonnotti stated this will happen along almost the entire perimeter of the site as they are grading up to the right-of-way along the By-Pass to install the trees. He stated the request is to be able to plant the buffer, the trees, and the grading associated with this Land Development.

Mr. Lewis stated with regard to the spillways, the requirement is to pass a 100-year event with a 1' free board. Mr. Kratzer stated there are stormwater requirements in the SALDO that have not been updated. Mr. Geonnotti stated the entire stormwater system including the basins and pipes are designed to accommodate the 100-year storm. Mr. Lewis stated the basin slopes are 3 to 1,

and they are normally 4 to 1. Mr. Geonnotti stated 3 to 1 is typical for stormwater basin design and allows for more volume. He stated you only take credit for the bottom contour area of the basin, and they do a steeper internal slope of the basin. He stated 3 to 1 is still plantable and mowable. He stated when they install the slope, they put in an erosion control blanket to stabilize it. He stated it is a typical stormwater design. Mr. Lewis asked if their intent is for the basins to be naturalized and infrequently mowed. Mr. Geonnotti stated they are naturalized basins and will have a seed mix planted. He stated in order for them to maximize their volume reduction credit on the site, they need to have the biggest basins possible.

Mr. Lewis asked if they have done the DEP Pollution Load calculations; and Mr. Geonnotti stated they have, and by meeting all of the water quality requirements of PADEP, they satisfy all of the pollutant load requirements as well. He stated the stormwater BMP is two massive rain gardens which are designed to be relatively shallow and large to promote the water quality effects and the recharge effects. He stated they have their NPDES Permit for this Application which means that PADEP also reviewed and confirmed that as well.

Mr. Lewis asked if the open space land area will get an Open Space Dedication, and Mr. Geonnotti stated it will be held and maintained by the HOA.

Mr. Lewis stated the Zoning is R-1 and there is a By-Right for all that they are talking about today, and Mr. Murphy agreed.

Mr. Grenier asked if their NPDES, Erosion and Sediment Control, and the PCSM need to be amended because of anything that has been done. Mr. Geonnotti stated they had the NPDES permit early in the process; and the Board of Supervisors and Planning Commission have dictated some revisions. He stated while they will go back, the revisions have been positive so it will not be hard to get that amended.

Mr. Grenier asked if they are taking credit for pipe volume for storage of the 100-year storm. Mr. Geonnotti asked if he is referring to the conveyance system, and Mr. Grenier agreed. Mr. Geonnotti stated the stormwater conveyance system can convey the 100-year storm which is the requirement. He stated the stormwater basins are designed to manage the 100-year storm.

Mr. Grenier stated he understands that there will be a couple of rain gardens with some woody vegetation in clusters coupled with the seed mix of native herbaceous vegetation which provide habitat cover. He asked if there is a

Plan for those areas that will be herbaceous to be mowed once a year; and Mr. Geonnotti stated their Post Construction Stormwater Management Plan has a full Operations & Maintenance Schedule that needs to be followed. He stated that Plan will be Recorded and it gets mowed and maintained on a bi-annual basis. Mr. Grenier asked if the HOA will enter into a Contract with a third-party to do that, and Mr. Geonnotti agreed.

Mr. Grenier stated in addition to the 1,100 trees in the reforested area, the Landscaping Plan shows street trees, back yard/border trees, and woody vegetation in the rain garden. He asked if there is a total count of the number of trees. Mr. Geonnotti stated hundreds of trees will be planted as part of the Land Development on top of the 1,100. He stated they did not take credit for the reforestation to alleviate any of the Land Development requirements of the project. Mr. Grenier asked if there will be Deed Restriction/Conservation Easement on the reforested area; and Mr. Murphy stated while Ms. Carlton will tell the Applicant what the Township wants, he assumes that it will be a Recorded Conservation Easement for the reforested area. Ms. Carlton stated that is the intent.

Mr. Grenier stated typically when you plant 1,100 trees over 10 acres, some of them will not survive; and he asked the plan for the first five years as to how the trees will be maintained, and if trees die is there a warranty for replacement. He also asked about the long-term plan when the trees get to be 40' to 50' and fall down. Mr. Geonnotti stated the reforestation effort is different from a typical planting effort as it is meant to mimic nature. He stated the way a reforestation is designed, saplings/whips get planted, and the assumption is that some of them are going to die. He stated there will also be a seed mix planted which will promote the reforestation effort. He stated the landscape architect will develop a maintenance schedule for the reforestation effort.

Mr. Grenier asked if a warranty will be provided on the plantings as well as the street trees. Mr. Geonnotti stated as part of any Land Development project, they have to enter into an 18-month Maintenance Bond at the completion of the Land Development; and all the trees planted will be part of that Maintenance Bond. He stated some of the trees are also part of their PCSM requirements, and they will have to be maintained as part of those requirements.

Mr. Grenier stated at the last Planning Commission there was discussion about a Tree Survey. He stated the Board received that Tree Survey in their packet for tonight. He stated a relative of the property owner had previously provided a history of the planting of the trees. Mr. Grenier asked which are the largest

existing trees on the site. Mr. Geonnotti stated the three largest trees on the property were a 42" pin oak which is in decline, a 42" silver maple in good health, and a 44" silver maple also in good health. Mr. Geonnotti stated there are about 700 trees that are going to be re-planted as part of the Land Development effort in addition to the almost 1,200 trees to be planted for the reforestation. He stated a total of 47 trees, about 30% to 40% of which are in poor health or dead, diseased, or dying, are going to be removed; but they are substantially reforesting and re-planting the property. Mr. Grenier asked if they have the ability to save either of the two silver maples that are in good health, and Mr. Geonnotti stated they do not due to the grading and stormwater requirements.

Mr. Grenier asked the size of the trees to be planted on the north side; and Mr. Geonnotti stated along the back buffer all of the evergreen trees to be planted will be 6' to 7' in height to meet the Ordinance, and the deciduous trees will have a 3" caliper and a minimum of 14' in height in accordance with the Township requirements. Mr. Grenier asked if the evergreen trees to be planted are relatively fast growing; and Mr. Geonnotti stated there is a variety of trees to be planted, and they could plant faster-growing trees if there is a desire to have them do that.

Mr. Grenier asked if they spoke to the EAC with regard to the tree list, and Mr. Murphy stated they followed the Township Ordinance other than for the Reforestation Plan. Mr. Geonnotti stated their landscape architect is familiar with reforestation. He stated while they did not consult with the EAC, they could share their list with them.

Ms. Blundi stated our streets are lined by with evergreen trees that are thin and dying out which were planted by well-meaning developers. She stated they would appreciate that the Applicant work with the people who live here. Mr. Geonnotti stated the EAC reviewed their Landscape Plan and did not have any comments. Ms. Blundi stated the Board is going to have lots of comments. Mr. Grenier stated he would like the EAC to run through their Reforestation Plan before anything is planted.

Mr. Grenier stated there was discussion whether there would be any traffic-calming in the new development or in the existing development, and he asked what the plans are. Mr. Geonnotti stated there was a proponent of the residents of the existing community indicating they did not want modifications done to the existing community, and they are not proposing anything to that community north of the proposed development. He stated the Township traffic

engineer did a Speed Study of that neighborhood and found that there were no concerns with speeding. Mr. Geonnotti stated as noted earlier in the new development at the entrance at Surrey Lane there will be a center lane/boulevard entrance which will have a traffic-calming effect coming in. He stated they eliminated the cut-through by eliminating the right-out or any connection to the By-Pass which was the biggest concern of the existing residents. They have made no other traffic changes.

Mr. Grenier asked about sidewalks. Mr. Geonnotti stated there are sidewalks on both sides.

Mr. McCartney stated there is an existing 1790 house on the property. He stated in prior developments in the Township, including Scammel's Corner, Reserve at Yardley, and Prickett's Preserve those developers were able to re-hab the existing older homes that were part of those tracts prior to Subdivision; and he asked if they have considered that as part of this development. Mr. Murphy stated there is no intention to preserve anything.

Mr. Grenier asked if there was a Cultural Resources Survey done of the property, and Mr. Geonnotti stated there was. Mr. Geonnotti added that they did the above-ground and the archeological study with PHMC; and it was determined no further findings or anything historical on the site, and they provided a Clearance letter. Mr. Grenier stated it was not deemed eligible for listing on the National Register, and Mr. Geonnotti agreed.

Ms. Blundi asked if our Historical Commission could look at the house. Mr. Grenier stated there should be photos and documentation on the property as part of the process that was done. Mr. Majewski stated the Applicant did have someone go out and document the property, but the Historical Commission has expressed an interest in going into the house after it is vacated and before it is demolished to photo document it. Mr. Murphy stated they would agree to that. Mr. Grenier asked if they find anything that they would consider unique could they take possession, and Mr. Murphy agreed.

Ms. Blundi noted the buffer to be put on the developer's property in the north between the developer's property and Farmland property. She stated Farmland has had issues with trees in the past due to shading the farmland. She asked if they have been working with Farmland to make sure that what is being done is agreeable to them, and Mr. Geonnotti stated they have. He stated they are planting the trees directly on the developer's property.

He stated directly adjacent to the developer's property line is a farm access for about 20' so the shade from the trees should not be an issue. Mr. Majewski stated trees that can grow to be 80' tall should not be planted there, and they should be smaller trees that may grow 20' to 40' so they do not shade out the farmland; and Mr. Geonnotti agreed.

Ms. Blundi noted the island at the beginning of the development, and asked if that is just cement; and Mr. Geonnotti stated they were proposing that to be a planted island which will be deeded to the HOA who will be obligated to maintain it.

Ms. Blundi stated the Delaware River Toll Bridge did a beautiful naturalized basin on River Road and Taylorsville; and while she knows that the developer's basin is not that deep, she asked how much they should expect to see in the basin in terms of trees. Mr. Geonnotti stated it is a design mix which is required as part of the Best Management Practice for stormwater. He stated trees will be planted sporadically through that. He stated it will be similar to what Ms. Blundi has referred to but in a smaller, Residential scale. Mr. Grenier stated as part of having a PCSM Plan approved, you have to enter into an Agreement to maintain those trees over time. He stated the seed mix will grow as an understory and provide habitat and stormwater management, and Mr. Geonnotti agreed.

Ms. Blundi stated in other developments sometimes the homeowners do not appreciate their obligation under the HOA, and Mr. Geonnotti stated it will be well documented. Mr. Geonnotti stated the basins are not on the individual homeowners' property, and they are on a basin lot; and the basins will be entirely fenced in. Mowing will be handled by the HOA by a private contractor that mows the rest of the common areas.

Mr. Grenier asked the type of fence that they will be installing around the basins; and Mr. Geonnotti stated it will be a post and rail fence with wire mesh, and the HOA will maintain that as well.

Mr. Majewski asked if the roads will be private to be owned by the HOA. and Mr. Geonnotti agreed. Mr. Majewski stated there was concern about the dead end piece on the east side having a cul-de-sac if it was publicly owned, and Mr. Geonnotti stated the intent is that the roads will be maintained by the HOA.

Mr. Grenier asked for more detail as to what it will look like at the dead end and where the emergency access with the bollards will be. Mr. Geonnotti stated it will be similar to the dead end now on Surrey Lane. He stated it will look like the continuation of a driveway coming off the end of the street. He showed where 10' to 15' past the end of the street there will be a chain and bollard that stretches across the entire length so cars will not go in there. He stated you will see the road bed of Patterson Lane heading up to the Dilliplane property at the top. Mr. Geonnotti noted two open space areas on either side of the dead-end street, which was intentionally done for Farmland use if they still wanted to maintain access to the active farms in the north, and they could take access through Patterson Lane and cut across the open space to get to the back area. He stated the open space provides a buffer between the private residence property line and the existing roadbed of Patterson Lane.

Mr. Grenier asked how the Dilliplanes will be able to access their home. He also asked Mr. Geonnotti to describe how Farmland Preservation land will be accessed. Mr. Geonnotti showed the Dilliplane access Exhibit, and he stated they will access their property exactly as they do today. He stated the road will be left in its existing condition, and the access off of the By-Pass will be exactly the same. He stated it is proposed at this time, the chain and bollard will be left there for emergency use only; and the Dilliplanes access will be limited to the By-Pass. He stated if the Dilliplanes have an interest in coming through the neighborhood, they could look into a different option than the chain and bollard so that they would have access; however, at this time based on the discussion at the Planning Commission and their concerns, the Dilliplane access will be exactly as it is today.

Mr. Geonnotti stated with regard to Farmland Preservation, there are two points of access. He noted the location of an existing farm, and between Surrey Lane and the developer's property, there is a 50' piece of land which is Township owned with Farmland Preservation owned land on the right side. He showed the Township right-of-way which was designed for future access for exactly this use. He noted the location of a curb cut off of their property on the Township property and the Farmland Preservation property, and the road will be left without curb on both sides so that farmland vehicles can traverse the extension of Surrey Lane to get to the other active farm on the other side. He stated this was a result of many discussions with Farmland Preservation to keep that open.

Mr. Grenier asked if that is a current access point. Mr. Geonnotti noted an area on the Plan which is a gravel-access road that runs along the back of the Wright Farm property along the north, and they go through the Township access piece.

Mr. Grenier asked if they anticipate any changes to the volume of farmland traffic getting through there; and Mr. Geonnotti stated not to his knowledge, and they just wanted to keep it open and used as it is today.

Mr. Geonnotti stated a second point of access would be through Patterson Road. He stated they would come off the road bed of Patterson Road and access the farm similar to where they do today where there is a gravel path that extends Patterson Lane. He stated they would come off the By-Pass and into the back area.

Mr. Majewski stated they just noticed that at the end of the proposed roadway there is no easy way for someone to turn around if they were dumping snow and not block the emergency access. He stated he feels a "hammerhead" there would be helpful. He stated where Surrey Lane comes in, they have something like that now where there is a bump out, and he suggested that they accentuate that slightly so trucks could turn around; and Mr. Geonnotti stated they can accommodate both of those suggestions.

Mr. Grenier asked where they would put the snow from the private roads. Mr. Geonnotti stated the snow gets pushed off of the roads at the end of each area. There are no Storage Easements shown on the Plans, but they could be added if necessary. Mr. Geonnotti stated there is enough area to be pushing snow off the road into the front yards which is typical in neighborhoods. Mr. Grenier stated he does not want them to be pushing snow which may have salt in it onto the agriculture fields. Mr. Geonnotti stated they will make a point not to do that.

Mr. Dan Seekins, 1209 Bridle Estates Drive, asked if the row of trees that have been added to the north are going to be discretionary in terms of the new owners of the property or will the HOA will enforce that they have to replace them if they die. He asked if the new owners will be able to cut the trees down and put a patio there. Mr. Geonnotti stated the trees will be on an approved Land Development Plan which will be Recorded, and they will be required to be installed.

Mr. Seekins noted the accommodation for the farm equipment which seems to go across the only entrance to the development, and he asked if the traffic engineer has looked to see if that is a safety hazard; and Mr. Geonnotti stated he has. He stated the developer does not own that property, and they are required to maintain farm access. He added that the volume of farm traffic going in and out of there is very infrequent. Mr. Seekins asked what prevents

a collision as there is no stop sign. Mr. Geonnotti stated they will make sure they are satisfied with the crossing. Mr. Grenier asked if they could install a tractor crossing sign, and Mr. Geonnotti stated they could do that.

Mr. Grenier asked about the curb cuts since tractors are heavy, and he asked if they are reinforced. Mr. Geonnotti stated it will be heavy duty pavement to accommodate the farm traffic. Mr. Grenier stated it needs to be determined whether it is the HOA or the Township that owns that square of road, and Mr. Geonnotti stated that road exists within Township right-of-way. Mr. Grenier stated the Township will need to look into what might be needed since we will need to maintain that. Ms. Carlton stated the details of the construction of the road cuts should be made a part of the Plan approval.

Mr. Alex Davidoff, 1233 Bridle Estates Drive, thanked the Board, Mr. Majewski, Mr. McLoone, the DeLucas, Mr. Geonnotti, and Mr. Murphy for listening to many of the residents' concerns, the details of which can be seen in the Plan.

Mr. Davidoff asked if the HOA will have discretion to cut down trees on the north side of the property, and Mr. Murphy stated they will not. Mr. Davidoff stated he would be open to giving them some discretion if they wanted to cut some of them down. He stated he will be installing more of a buffer on his property.

Mr. Davidoff stated many residents have asked him about the details on the construction work. He stated he knows the Township Ordinance says 7 a.m. to dusk on weekdays and 8 a.m. to dusk on weekends and holidays. He stated the concern is about noise. Mr. Davidoff stated Mr. Majewski has advised that there is no hard rock and there will not be any drilling. Mr. Davidoff stated if there is a lot of noise on weekends and holidays, they will be calling the Township Police Department all of the time. Mr. Geonnotti stated all construction traffic will go through the Patterson Road entrance off of the By-Pass as required by their PennDOT HOP Permit. Mr. Murphy stated it was agreed that the entrance from Surrey Lane would not be opened until the first model was opened. Mr. Murphy stated their construction schedule is what the Township allows. He stated they were asked if they would agree to not working on Saturday or Sunday, and the answer is that they will work as they are allowed to do so.

Mr. Davidoff stated the Township does have Ordinances on noise, and the residents intend to make sure that they are enforced.

Mr. Grenier asked how long the construction will take, and Mr. DeLuca stated it will take two to three years once they break ground including the buildings.

Mr. Davidoff asked about the grading of homes. He noted on the Plan where the land slopes down to the roadway and "then up." He asked if there will be fill placed to bring it level. Mr. Geonnotti stated the site has been designed to work with the existing topography. He stated the stormwater basins are placed at the natural low point, and there will be some fill brought into the site to make the stormwater and general design work. He stated all natural drainage patterns will remain, and all stormwater will be going to the same location it is going with nothing being directed back to the existing houses. All stormwater will flow toward the basins and then toward Lindenhurst through a defined swale. Mr. Davidoff stated he was more concerned about the noise coming from the roadway to the new homes and his home, the location of which he showed on the Plan.

Mr. Davidoff stated at a previous meeting he had brought up the entrance to Bridle Estates and he wanted to know if there was anything the developer could do to help them clean it up. He stated the homeowners had been maintaining collections and paying a few thousand dollars every few years to clean it up on their own because they do not have an HOA. Mr. Grenier asked what he is requesting in terms of "cleaning it up;" and Mr. Davidoff stated they want it to look nice, and they are all going to sharing the same entrance, and now there will be a 150% traffic increase going along the same roadway.

Mr. Davidoff stated he has previously discussed the concerns of the residents of Bridle Estates with regard to safety and traffic. He stated he has young children, "and if anything happens to any of the residents in terms of harm from traffic, they will hold the Township and the developer as liable, and they will succeed." Ms. Blundi stated it is difficult to have neighbors tell the Board that they will be responsible if a tragedy happens. Mr. Davidoff stated while he understands that, the Board is approving these homes. He stated he understands that is it "by right." Mr. McCartney stated that is the same way Bridle Estates was built – by right. Mr. Davidoff stated they all "drive nice and slow along those roads," and the residents have communicated to him that there will be a massive increase in traffic. He stated his three year old is riding his tricycle on that road.

Mr. Robert Piper, 1209 Bridle Estates Drive, stated he is strongly opposed to Patterson Lane becoming privatized from 332 all the way to the "elderly woman's home." He stated she had previously expressed concern about the

clearance of snow and the cost to her from the Homeowners' Association as it is yet unknown whether they are going to charge her for clearing snow on the access to her house at the end of Patterson Lane.

Mr. Piper stated Section 178.38 of the Township Ordinance requires safety to be addressed when there is a connection to an existing neighborhood. Mr. Piper stated Mr. Davidoff pointed out that there are four and five year old children riding their bicycles on Bridle Estates Drive. He stated one of the 100 to 200 more vehicle drivers could be distracted and hit one of those children riding their bike on the road. He stated this could cause serious injury or death. He stated he has seen numerous little children riding their bicycles on Bridle Estates Drive. He stated there are also cars owned by family, friends, and contractors parked on the curb of Bridle Estates Drive getting in and out of their vehicles on the street; and adding 100 to 200 vehicles per day coming through Bridle Estates Drive with people going in and out of the driver side doors is another safety risk. He stated there are also joggers on a regular basis on Bridle Estates Drive as there are strollers and dog walkers on the sidewalk, and the joggers could be hit by a distracted driver of the 100 to 200 vehicles. He stated he has seen two young children running across the street; and while cars almost hit them, the cars fortunately slowed down.

Mr. Piper stated there are also concerns with Quarry Road which has the entrance to Bridle Estates on it. He stated making a left out of Bridle Estates you go up a hill to Cemetery Ridge and there are massive amounts of deer during certain times of year. He noted an incident he experienced when a deer on Lindenhurst Road siammed into his car causing thousands of dollars of damage. He stated they have also had numerous near misses on Quarry Road. He stated there are also bicycle riders on Quarry Road going up to Cemetery Ridge, and you have to veer into oncoming traffic to get around a bicycle rider, but you cannot see around the small family cemetery to see the oncoming traffic. He stated the traffic coming from the Lindenhurst end toward Bridle Estates cannot see people coming up the ridge toward the family cemetery. Mr. Grenier stated they are all familiar with this situation, and they have all had small children riding their bikes in neighborhoods. He stated he is also a runner, and he runs through neighborhoods all of the time.

Mr. McCartney asked if Bridle Estates has sidewalks, and it was noted that they do. Mr. Piper stated people are not going to park their vehicles pulling up onto a sidewalk; and they have to park up to the curb. Mr. Piper stated

they are now being asked to accept 100 to 200 more vehicles through Surrey Surrey Lane which is not safe especially with small children on their bicycles in this quiet neighborhood.

Mr. Grenier stated they have heard Mr. Piper's comments, appreciate the safety concerns, and have looked into this.

Mr. Piper stated the Ordinances speak to preserving the natural features of the site, and this includes numerous healthy trees. He stated they finally got an arborist to disclose numerous healthy trees on the site; however, he just got the information two days ago. He asked if the Township considers that reasonable notice as he did not have the time to go out in two days and get a "five hour evaluation of trees by an arborist in two days." Mr. Grenier stated public notice is driven by State Law. Ms. Carlton stated she understands that it was delivered to the Township on Friday morning, and it was made available at that time. Mr. Piper stated it was posted on Saturday. Ms. Carlton stated she does not believe the Township posts things on Saturdays. Mr. Piper stated he received the information from Jim Majewski. Mr. Grenier stated there is a difference between getting an e-mail from Mr. Majewski versus something posted in a public forum. Mr. Piper stated the letter was dated the 17th.

Mr. Kratzer stated there is no Notice provision that requires the distribution to adjacent property owners as it relates to an Application. Mr. Piper stated he is speaking about the notification on the Website as it relates to every single item including the arborist's letter. Mr. Kratzer stated there is no statutory requirement to distribute information to individual property owners.

Mr. Piper stated he does not feel it is considered reasonable notice that he get an update from an arborist on the same day of the meeting noting that there are healthy trees on the site as opposed to the former arborist's letter saying all of them were unhealthy trees and not mentioning a single healthy tree on the site. Ms. Carlton stated there is no statutory requirement that dictates what notice is. She stated it was made available. She stated these trees are on private property; and while Mr. Piper would like to have an arborist look at these trees, he does not have that right. Mr. Piper stated Mr. Kessler, the Township engineer, requested this several months ago. Ms. Carlton reminded Mr. Piper that he just stated he did not have the time to hire an arborist or to look at the trees. Mr. Piper stated he had only two business days to review all the trees, five hours on the site, and submit a rebuttal to the arborist whose original letter mentioned no healthy trees. Ms. Carlton stated there is no

statutory requirement to provide this information to Mr. Piper. Mr. Carlton stated it was posted on the Township Website. Mr. Kratzer stated the requirement is to post an Agenda 24 hours prior to a meeting. Mr. Piper stated that includes "every single piece of information." Mr. Kratzer stated there is no statutory requirement to provide every single piece of information. He stated you can make a request, and it could be provided as a courtesy; but there is no statutory requirement. Mr. Piper asked if there is not a statutory requirement to provide information a certain number of weeks prior to a Hearing, and Mr. Kratzer stated there is not.

Mr. Grenier stated there are a lot of Townships across the Commonwealth that post only the Agenda. He added that relative to the prior arborist's report, the Board asked that a full-blown tree survey be provided which was received.

Mr. Grenier stated he would have liked to see one or two of the larger trees saved. Mr. Piper stated that would be consistent with the Ordinance to preserve the natural features of the site. Mr. Grenier stated it is not a hard and fast rule that they have to preserve every natural feature on the site. He stated they do have the ability to mitigate for impact to those natural features; and in this case, they are planting close to 2,000 trees of various types and sizes which will result in a natural, forested habitat in certain areas and noise and visual buffers for the neighborhood from the By-Pass which is why the Board was pushing for the reforestation in addition to some of the landscaping on the north side. Mr. Grenier stated studies were provided as requested, and they had a few days to review them.

Mr. Piper stated Section 185-2 A through H talks about how the Board of Supervisors strongly supports trees in the Township and discusses the benefits especially of the large trees. He strongly encouraged everyone to review those.

Mr. Michael Lederer, 1225 Bridle Estates Drive, stated a lot of his points were raised by Mr. Davidoff. He stated he faces the north end of the development. He stated one of the previous proposals suggested the potential for the entryway to be at the four-way intersection of Stony Hill Road and the By-Pass, but was denied by PennDOT. Mr. Lederer asked if that decision by PennDOT was ever re-visited as the primary entrance with no connection to Surrey Lane. Mr. Murphy stated it was re-visited multiple times over the last year and a half to two years.

Mr. McCartney moved and Ms. Blundi seconded to amend the Motion to include:

- 1) Making the cut-through on the Township land so that the tractors would be able to get across, but it would be done in an appropriately reinforced manner with the final design to be determined based on conversations between the developer and the Township
- 2) Adjust the north side buffer plantings and not make them as tall as the Ordinance requires to avoid shade on the farmland properties. The developer is to work with the EAC or whoever the Township decides to adjust the schedule that the developer was following
- 3) Make sure that there is a Note on the Plan that indicates that the roads, open space, and stormwater management are all private, not to be Dedicated, and to be maintained by the HOA and establish Snow Easements at the dead end locations to avoid snow elsewhere.
- 4) Add a tractor sign at the Surry Road entrance
- 5) Coordinate with the EAC relative to the reforested area

Motion carried unanimously.

ENGINEER'S REPORT

The Board received the Engineer's Report in their packet.

Mr. Kratzer stated there had been a question about the Woodside Road Multi-Use Path, and the only remaining item that was part of the original scope of work is some signage that needs to be installed; and all other punch list items have been completed. He stated that does not include the additional work, and a scope for that has not been executed, and they have not gone out to Bid for that as we were trying to get additional details. He stated this will have to be considered with the engineering consultant moving forward.

MANAGER'S REPORT

Approve Appointments of a Township Engineer and Township Traffic Engineer

Mr. Kratzer stated in January, 2025 the Board authorized the release of an RFP for Township engineer and Township traffic engineer. Responses were due in February, 2025; and there were eight responses for the position of Township engineer and six responses for the position of Township traffic engineer. Mr. Kratzer stated the staff and the Board of Supervisors independently reviewed the proposals and came up with a suggested interviewee list. Three firms were interviewed in April, 2025; and the collective recommendation is to appoint HRG as the Township engineer and Pennoni as the Township traffic engineer.

Mr. Lewis moved, Ms. Blundi seconded and it was unanimously carried to appoint HRG as the Township engineer.

Mr. Lewis moved and Mr. Ross seconded to appoint Pennoni as traffic engineer.

Ms. Blundi asked if we will still be able where appropriate to access SAFE Engineering on traffic questions, and Mr. Kratzer stated that is the intent on traffic safety related matters.

Motion carried unanimously.

Mr. Kratzer stated they will coordinate with both of those entities and the outgoing engineer as well to make sure transition items are considered. Mr. Grenier stated it would be helpful to get a condensed list of outstanding items. Mr. Kratzer stated he has had some discussions with the outgoing engineer about that and they are prepared to provide documentation.

Continued Discussion Related to a Potential Stormwater Fee

Mr. Kratzer stated consistent with the Board's direction, the staff has been working on a general framework and strategy if the Board is inclined to continue this discussion. He stated the Board was provided a memo that outlined certain considerations, and he translated that into a power point presentation that was provided this evening.

Mr. Kratzer stated the Second Class Township Code caps the General Purpose millage rate at 14 mills, and the current rate is at 13.88 mills. He stated that is the source of Revenue that would be available to invest in stormwater infrastructure if there was capacity there. He stated Bucks County has not done a County-wide re-assessment since 1972, and this has contributed to why the Township finds itself up against the cap.

Mr. Kratzer stated available Grants are insufficient to meet the Township's regulatory obligations related to stormwater and maintaining the existing system let alone providing sufficient funds to install new stormwater management infrastructure and implement flood mitigation projects. He stated we have tried to leverage external funding to the maximum extent possible. He stated the Township was positioned to receive \$8 million in Federal funding through the Community Projects Funding Program; however, as a result of the impasse in Washington and the adoption of a Continuing Resolution, that \$8 million is no longer guaranteed. He stated we will continue to try to pursue that, but the actions in Washington have caused some uncertainty as it relates to that issue.

Mr. Kratzer stated we submitted an Application recently to the Growing Greener Program which was a Watershed Protection Grant for about \$341,000, and we were awarded a little less than \$175,000. He stated while we are appreciative of the Commonwealth's support, there is a need for self-sufficiency. He stated there is currently no predictable, recurring revenue stream to meet required obligations. He stated the Township has dealt with increasing frequency and severity of storms which is projected to increase.

Mr. Kratzer stated the stormwater collection conveyance system is largely a sub-surface utility system, and there are miles of sub-surface pipe collecting and conveying stormwater to its ultimate discharge points. He stated those mechanisms require ongoing maintenance and capital replacement, and failure to maintain and replace those systems has the potential of even more severe impact to the roadway system.

Mr. Kratzer stated many of the Township's regulations are the result of Federal and State regulatory requirements which the Township is subject to through the Municipal Separate Storm Sewer System (MS4 Program). Mr. Kratzer stated stormwater management and flood mitigation are quality of life issues; and they are not just issues that relate to minimum compliance for regulatory compliance, but are issues that impact peoples' lives, property, and investment, and it is important for the Township to be responsible and have the means to make the required investments in the infrastructure.

Mr. Kratzer stated there are two mechanisms for levying Stormwater Utility Fees one being under the Second Class Township Code and the other is under the Municipalities Authorities Act, and there can be further discussion about the benefits associated with both of those.

Mr. Kratzer stated there are over one hundred Municipalities in Pennsylvania currently benefitting from Stormwater Utility Fees including Middletown and Warminster, and there are many communities in Bucks County considering implementation as well.

Mr. Kratzer stated the basis for a fee is generally based on impervious surface area on each lot. He stated there are different billing structures including the Equivalent Residential Unit (ERU) billing structure where a unit is based on the average impervious surface area of a typical single-family residence; and on the Residential side that results in a flat rate for Residential and uses that average impervious surface area amount to calculate what a non-Residential establishment may be levied so there may be multiple ERUs for more expansive properties covered with impervious surface area. He stated another option is a tiered system of billing which establishes basic ranges of impervious surface.

Mr. Kratzer stated with regard to data collection methods, traditionally aerial ortho photography has been used to calculate impervious surface on lots. He stated this is time intensive and time sensitive and was generally done through commissioning a flight which would need to be done at a certain time of year, and there is data analysis that has to happen post that. He stated there have been significant improvements in Artificial Intelligence with high resolution imagery that has created a more cost-effective way to collect the data. He stated these are largely subscription-based systems, and there is the ability to do analysis within the program.

Mr. Kratzer stated with regard to billing options, one option is tax bill inclusion which would use the existing tax billing infrastructure. He stated this would be a fee and not a tax so there would be properties that are currently tax exempt that would be subject to the fee that are contributing to the stormwater management system and receiving service. He stated if the Township were to go with the tax bill method, those properties would need to have separate invoices. Mr. Kratzer stated another option is that everyone would just have a separate utility bill. He stated there are third-party billing companies that are billing for other communities.

Mr. Kratzer noted the slide showing some of the obligations that the Township has relative to stormwater that would be considered in the Stormwater Utility Budget including the cost of implementing our approved Pollution Reduction Plan. He stated while the information being shown is somewhat dated and the costs have likely gone up, as part of the Township's Permitting obligation, the Township has approximately a \$3.3 to \$4 million obligation to implement projects; and the required completion date of those projects is February 28, 2027. He stated the Township engages in street sweeping which could potentially be included in a Stormwater Utility Budget. He stated the Township owns most of the basins in the community, and there is ongoing basin maintenance; and those are costs that are quantifiable in terms of equipment and manpower that could be contemplated. He stated existing system maintenance and repair could be included along with needed capital additions and expansions to that system as well as flood mitigation projects that are additions that help with regulatory compliance and relate to the community's quality of life.

Mr. Kratzer stated there are also compliance costs, reporting requirements, and certain activity requirements under the Township's MS4 Permit. He stated there is no assessment currently to that sub-surface utility system, and generally when communities have a reoccurring revenue system, a System Condition Assessment is a part of that and allows for proper planning moving forward. He stated you can also include implementation and costs associated with utility establishment.

Mr. Kratzer stated if the Township was to move forward with this, there would be refinement of the Fee to make sure that revenue is sufficient to meet the obligations and to insure that there is continued equity and fairness.

Mr. Kratzer stated if the Board wants to continue to discuss this, the staff would recommend obtaining a proposal from the newly-appointed Township engineer, HRG, who has been involved in the establishment of over 60 of the 80 stormwater utility fees in Pennsylvania, to provide a professional services proposal to look at the components and costs associated with proceeding. He stated this would give the Board the information needed to make the initial decision as to whether to proceed with the professional services and ultimately a decision as to the eventual levy of a fee. Mr. Kratzer stated there would be continued refinement if the Board moves forward with the program.

Mr. Grenier stated he feels some of the Townships that have done this have a program that is not as equitable as it could be in terms of assessing fee, and the onus was put more on the residents than Commercial owners that

might have more impervious or were built before stormwater infrastructure was required. Mr. Grenier asked if a Motion is required to have Mr. Kratzer get a proposal from HRG; and Mr. Kratzer stated since there is no commitment being made, he feels this could be done through consensus direction from the Board. Ms. Carlton agreed.

Mr. Grenier asked if there is any requirement to RFP this from a dollar perspective. Mr. Kratzer stated there is no obligation for a professional service. Mr. Grenier stated HRG helped the Township with our Stormwater Ordinance and were just appointed the Township engineer; and he would be in favor of getting a proposal from them. Mr. Kratzer stated we need to be mindful of time since the Township has not insignificant obligations to meet within a two-year period.

Mr. Lewis stated he would be in support of getting a proposal. He stated the Township has incurred significant costs and continues to work on stormwater management. He stated he would prefer that the Fees be included in the annual tax bill, and he would want to insure that Commercial properties with large, expansive impervious surface pay their fair share as well as tax-exempt organizations which also use that same service. Mr. Kratzer stated based on initial discussions he had outlined the ERU which would result in a flat Residential Fee, and non-Residential would be some multiple of that.

Mr. Kratzer stated most of the land use in the Township is Residential, single-family detached since of the 12,000 parcels, about 11,000 of those are Residential single-family parcels. He stated it would therefore make sense to look at a flat, Residential Fee and have non-Residential parcels pay a fee based on a certain calculation. He added there is not a large non-taxable base in the Township which would create more simplicity in using the tax bill inclusion.

Mr. Lewis asked if there is an estimate of what would be needed annually for a Stormwater Management Fee. Mr. Kratzer stated Middletown levied it at \$60 a year and Warminster is about \$120 a year. He stated these fees are typical of other areas of Pennsylvania where this fee is more common than currently in Bucks County.

Mr. Grenier stated currently we are paying for all of our stormwater projects if not getting Grants, from the tax base so there may be an opportunity to have a slight tax reduction or that money could be put toward something else; and Mr. Kratzer stated that would be at the discretion of the Board.

Mr. Lewis asked if we could reimburse the General Fund for the increases in expenses we have had over the last couple of years, and Mr. Kratzer stated there may be some opportunity for re-capturing some of those expenses. Mr. Grenier stated that may be possible over time since the money will not all be generated on day one.

Ms. Blundi asked if it would be possible to look at this for just Commercial properties to see if we could raise enough money that way. She stated businesses in the Township do pay property taxes; but unlike some other Municipalities, our Township does not get revenue from the businesses' sales. Ms. Blundi stated there are a number of people who live in townhomes, and if we move forward with this and it applies to residences, it should be made equitable for those living in townhomes as well. She stated it is possible that for a townhome there could be a lot of impervious space based on how much land they have, but they may not have the same impact as a single-family home. Mr. Grenier stated HRG should provide different scenarios as part of their review, and Mr. Kratzer agreed. Ms. Carlton stated in many townhome developments, there is a large common area for parking which would ameliorate the driveways on a single-family home.

The Board was in favor of proceeding with getting a proposal from HRG.

Ms. Larissa Luzeckyj stated she is a resident of the Township. She asked if all stormwater mitigation projects are on hold until the Township has the money to fund the projects. Mr. Grenier stated that is incorrect. He stated a portion of the Budget goes toward stormwater-related projects; however, we are not able to cover enough of them with our tax, and more is needed to be done. He stated the Township is at the tax cap due to other obligations many of which relate to salary and labor issues. He stated there is therefore less money available within the tax cap to pay for stormwater projects and other items. He stated there are alternatives within the State Code that allow the Township to look at stormwater fees to fund stormwater and associated projects, and that is what they are looking into. He stated they are still moving forward on Budgeted projects, but until they have additional funds they cannot move forward on additional stormwater projects.

Ms. Luzeckyj asked if they are no longer looking for Grants, and Mr. Kratzer stated they are still looking for Grants. Mr. Grenier stated they are always looking for Grants from the State and Federal Government. He stated as Mr. Kratzer noted we have applied for some Grants; and while some have been awarded, we have not gotten as much as we need to complete certain

projects. He particularly noted the Federal Grant which was applied for in the amount of \$8 million which was focused on stormwater projects, and they are not currently optimistic given how the Federal Government has cut certain things. He stated the Township has to be proactive and find ways to fund these very important projects to protect everyone.

Ms. Luzeckyj stated what has been done is great, and they have averted flooding; however, if the recent rain had not stopped, they would have been "in trouble." She stated they are eagerly awaiting the next phase of construction. Mr. Grenier stated the Township is as well, and this Fee is a great tool to address stormwater and flooding across the Township.

Ms. Laurie Grey stated she is a Township resident. She stated she understands the cap, etc., but she feels the way the Budget is structured may not be best. She noted that we have a lot of money for Park & Rec and new heaters for the pools, etc.; and while that is important, she would like to know if there is a way to structure the percentages of what our tax dollars are going to with different priorities in the Township. She stated there is the open space fee, the road fee, and now we will have this fee. She stated all of this is money paid by the taxpayers.

Mr. Kratzer stated they cannot use the money from the Park & Rec Special Purpose Tax for General Purposes. Ms. Grey asked if they cannot change the percentages and she asked who defines the percentages. Mr. Kratzer stated the amount of General Purpose Revenue that comes in pays for the Police which is only one service that the Township provides. He stated some of the situation in terms of the cap is directly the result of the County not doing County-wide reassessments, and the buying power of a mill is diminishing every year. Ms. Grey stated she appreciates that.

Mr. Kratzer stated while he appreciates that the Park & Rec Special Purpose Tax is being paid by the residents, there is no way to re-assign percentages since the millage caps are specific to the specific purpose. Ms. Grey asked if there is no opportunity for the Township to define the percentages. Mr. Kratzer stated short of the Township transitioning its form of Government from a Second Class Township to another form of Government, it is limited to State Statute. Ms. Grey stated she therefore feels it is even more prudent that our monies are not spent frivolously or on projects that have no end. She asked that the Board continue to monitor all of the projects. She stated she appreciates that it is now shown on the Agenda what is being spent, whether or not it is Budgeted, and what Budget it is coming out of.

PUBLIC WORKS

Approve Authorizing the Acceptance of the Amended Proposal for Supplemental Design Services from RVE for the Highland Drive Drainage Improvements Project at a Cost of \$35,675.00 (amended total cost - \$213,650.00)

Mr. Ross moved and Mr. Lewis seconded to approve authorizing the acceptance of the amended proposal for Supplemental Design Services from RVE for the Highland Drive Drainage Improvements Project at a cost of \$35,675.00.

Mr. Fuller stated there were some additional scope modifications that RVE had performed on our behalf including some retaining wall designs for the property owner who was impacted and additional survey work they needed to do, reports, etc. He stated the other change is that RVE is being asked to take the project to Bidding and Contract preparation with the future Contract to be awarded; and at that time, their scope of services would be more on a T & M basis of when and if needed for construction management and design questions, etc. when the new engineer would take over the construction management and inspection services for the project.

Motion carried with Ms. Blundi abstained.

Approve Authorizing the Release of and Solicitation of Bids for the Highland Drive Drainage Improvements Project

Mr. Ross moved and Mr. Lewis seconded to approve authorizing the release of and solicitation of Bids for the Highland Drive Drainage Improvements Project.

Mr. Fuller stated this involves the culvert replacement for Highland Drive and drainage improvements along Highland Drive that were contemplated, designed, and Permitted. Mr. Grenier asked the proposed construction date, and Mr. Fuller stated by the time Bidding takes place and it comes back to the Board that could be one and a half months. Mr. Kratzer stated he feels they could possibly mobilize by late summer.

Mr. Lewis stated this is National Public Works week. He stated he received a message today expressing gratitude for Mr. Fuller and his teams' work at Maplevale during the rains. Mr. Lewis thanked all of the staff. Mr. Fuller stated the team is great, and they know what to do, and get out to that area as soon possible.

Mr. Grenier reminded residents that if they are digging during a construction project they need to protect the dirt or it can flow into the storm drains and cause immense damage. Mr. Fuller stated there are also issues with leaves clogging lines, and the leaves need to be kept off of the road. Mr. Grenier stated leaves getting into the storm drains cost the taxpayers money, and it also limits the road width when leaves are put in the road which is an unsafe situation. Ms. Blundi stated there are also people who put grass clipping in the street. She asked that people clean the storm grates if they see something blocking them.

Motion carried unanimously

SOLICITOR'S REPORT

Ms. Carlton stated the Board met in Executive Session prior to the meeting to discuss litigation and Real Estate matters.

Ms. Carlton stated she made an appearance at the Zoning Hearing Board on May 19 on two matters that the Board of Supervisors opposed. She stated one was denied by the Zoning Hearing Board, and the other was Continued; and that Applicant may not return. She stated that the Board authorized her office to appear at the next Zoning Hearing Board on June 3 for a Variance request. She stated her office will be very busy in the summer and fall with Stormwater Fees and Development Agreements.

SUPERVISORS' REPORTS

Mr. Lewis stated the Disability Advisory Board is updating their marketing materials on the work that they do. He stated the Environmental Advisory Council has developed some revisions to the Tree Bank Ordinance and developed a draft Chicken Ordinance for consideration for properties over a half acre for hens over but no roosters. He stated staff and some other Committees will be reviewing it before it gets further consideration.

ADDITIONAL PUBLIC COMMENT ON NON-AGENDA ITEMS

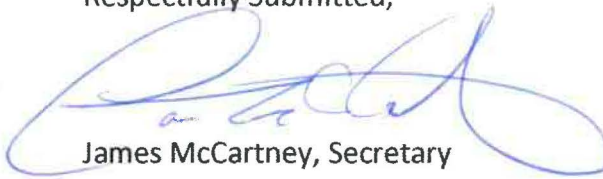
There was no one from the public wishing to make public comment at this time.

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There being no further business, the meeting was adjourned at 10:30 p.m.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read 'James McCartney', is written over the printed name. The signature is stylized with large loops and a long horizontal stroke.

James McCartney, Secretary