

HILLTOWN TOWNSHIP PLANNING COMMISSION
REGULARLY SCHEDULED MEETING
Monday, February 20, 2006
7:30PM

The regularly scheduled meeting of the Hilltown Township Planning Commission was called to order by Chairperson D. Brooke Rush at 7:30PM and opened with the Pledge of Allegiance. Also present were Planning Commission members Mike Beatrice, Ken Beer, Bill Bradley, Denise Hermany, Chuck Kulesza, and Joe Marino; as well as Township Engineer, C. Robert Wynn, and Township Secretary, Lynda Seimes, to record and take minutes of this meeting.

A. APPROVAL OF MINUTES – Action on the minutes of the December 19, 2005 Planning Commission Meeting – Motion was made by Mr. Beer, and seconded by Mr. Marino to approve the minutes of the December 19, 2005 Planning Commission meeting, as written. Mr. Beatrice abstained from the vote since he was not present at that meeting.

(*Please note – Mr. Marino was not a member of the Planning Commission at the time of the December 19, 2005 meeting, and therefore, should have abstained from the vote).

Action on the minutes of the January 16, 2006 Planning Commission Meeting – Mr. Beatrice noted the following addition to page 5, the end of the fourth paragraph, which should state “**The original motion did not pass.**”

Motion was made by Mr. Marino, and seconded by Mr. Beatrice to approve the minutes of the January 16, 2006 Planning Commission meeting as amended. Mr. Bradley abstained from the vote since he was not present at that meeting.

B. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.

C. CONFIRMED APPOINTMENTS:

1. McDonald’s Corporation (Sketch)- The applicant has cancelled their Confirmed Appointment.

2. Kirk Tract Subdivision (Final) – Ms. Carrie Nace, the applicant’s legal counsel, and Mr. Scott Guidos, the applicant’s engineer, were in attendance to present the plan. The site is located on Skunkhollow Road and proposes 28 single-family dwellings. Mr. Wynn’s most recent engineering review dated January 17, 2006 was discussed.

Motion was made by Mr. Marino, and seconded by Mr. Beer, to recommend conditional final plan approval to the Kirk Tract Subdivision, pending completion of all outstanding items as noted in the January 17, 2006 engineering review. Mr. Kulesza, Mr. Beatrice, and Mr. Bradley were opposed. Motion passed.

Mr. Beatrice commented that he has not been in favor of the proposed layout from the very beginning, and believes that the Township was short-changed when the Commission asked to see alternative sketch plans, both of which were unacceptable. It is his impression that this entire development was “ramrodded” through the process and stated that he is not in favor of this plan. Mr. Bradley agreed, noting that he was not in favor of extending the cul-de-sac, and therefore, since he was opposed to the cul-de-sac extension, he cannot in good conscience vote for the plan. Mr. Kulesza agreed with Mr. Beatrice and Mr. Bradley.

3. Wilson Subdivision (Minor) – Mr. Mark Hintenlang, the applicant’s engineer, was in attendance to present the plan. Mr. Wynn’s engineering review dated January 17, 2006 was discussed. The 18.83 acre site located in the RR District is proposed to be subdivided into two single-family detached dwelling (Use B1) lots. Lot #1, having a net area of 16.99 acres, contains an existing single-family detached dwelling, barn, and stone driveway accessing Hilltown Pike. Lot #2 contains a net area of 1.21 acres and is proposed for construction of a new single-family detached dwelling and driveway access along Hilltown Pike. In addition to existing manmade structures, the site is predominately in agricultural use, with fields surrounding yard area of the existing dwelling. Lots will be served by on-lot wells and sewage disposal facilities.

The applicant has requested relief from the following waivers:

- Sections 140-16.C(16), 140-16.D(2), 140-16.D(8), 140-16.C(6)(d), and 140-16.D(4), which contain plan preparation requirements related to identifying existing features and natural resource protection requirements on a minor subdivision plan. Partial relief is requested to permit existing features information to be shown within the developed area of the site only. The waiver is requested due to the large site area (18.8 acres) and the minimal site impact (0.75 acres) pertaining to the minor subdivision.
- Sections 140-28.P, 140-29.D(2), 140-51.B, 140-35, 140-51.C, 140-36, 140-51.D, and 140-48, which require cartway reconstruction/overlay, cartway widening, curb, sidewalk and streetlights to be installed along Hilltown Pike within the frontage of the site. Waivers are requested based on the minor nature of the proposed improvements and rural aesthetics of the area. Hilltown Pike is a State highway in fair condition, and minimal construction activity is proposed within the frontage of the site for installation of a new driveway on Lot #2.

If waiver of street improvements along Hilltown Pike within the frontage of the site are approved, Mr. Wynn recommended that a note be added to the plan requiring that if either lot is further subdivided or developed in the future, the Township may require

installation of street improvements along the frontage of both lots, as deemed necessary by the Township at the time of further subdivision/development.

- Sections 140-26, 140-47, and 140-59 through 63, which require community recreation facilities.

Mr. Wynn's review notes that recreational facilities are not required as part of a minor subdivision, however Sections 140-59 through 63 require dedication of recreation land, or fee in-lieu-of recreational land for all subdivisions. Since the nature of the proposed subdivision does not appear to facilitate dedication of recreation land, Mr. Wynn recommended that the Township accept a fee in-lieu-of recreation land, in the amount established by Township Resolution to be deposited by the applicant prior to plan recordation. Mr. Hintenlang advised that the applicant intends to seek a waiver of a fee in-lieu-of as well. Chairperson Rush commented that the Planning Commission traditionally does not make recommendations regarding the waiver of any fees, which is to be determined by the Supervisors. Further, Mr. Wynn noted that the Board of Supervisors does not typically waive fees in-lieu-of recreational facilities. The fee in this case would be \$1,962.00 per lot.

Mr. Hintenlang stated that the applicant will be requesting an additional waiver from Section 140-27.B(4) of the SALDO, since the proposed lot line contains a bend, which is not substantially at right angles or radial to the street line, from the street line to the rear of the lot. Additionally, the resulting configuration of Lot #2 does not meet the minimum lot depth to width ratio requirement of one, in non-compliance with Section 140-27.B(11) of the SALDO. Mr. Wynn noted that at a minimum, lot depth should be increased to be consistent with the lot depth of the adjoining TMP #15-28-146-2. Mr. Hintenlang advised that the applicant would also be requesting a written waiver of Section 140-27.B(11).

Mr. Beatrice asked how far from the Braccia Subdivision this project is located. Mr. Wynn believes it is located approximately four lots away. As Mr. Beatrice recalls, the Braccia Subdivision will be installing sidewalks that will extend to Hilltown Pike. Mr. Wynn acknowledged that the Braccia Subdivision was approved for sidewalks by the Township, however PennDot's approval calls for the removal of sidewalks and curb because they do not feel it is appropriate in the rural area of the Township. Discussion took place.

Mr. Wynn's review notes that Section 305.C of Ordinance #2003-2 requires existing manmade impervious surfaces to be considered as meadow when developing predevelopment flow rates. The developed area of Lot #1, including the impervious surface associated with the dwelling, barn, and driveway has not been analyzed in the predevelopment calculations. Calculations must be revised to include Lot #1 in the

stormwater management analysis, unless a waiver is requested in writing and approved by the Township. Further, if a waiver is requested, Mr. Wynn recommended that the Township approve the applicant's request, subject to receiving a fee in-lieu-of stormwater management facilities for Lot #1 to be deposited in the Stormwater Management Capital Fund. Mr. Hintenlang advised that the applicant will be making this waiver request since they do not believe it is necessary to provide stormwater calculations for an existing dwelling. Discussion took place.

The plan was tabled pending receipt of additional information.

4. McGrath Homes (Zoning Ordinance Amendment) – Mr. Tom Hecker, legal counsel for the applicant was in attendance to present the plan, The site, which comprises 185 acres, is located between Minsi Trail and Rt. 313.

In early 2004, the applicant submitted a petition proposing to amend the current Zoning Ordinance amendment with an overlay for CR-1, CR-2, and RR Districts. The Ordinance included with this most recent submittal is a stand alone Ordinance, which would provide for an age-qualified community as a separate zoning district. Mr. Hecker noted that the revised Ordinance amendment proposal is an attempt to provide for an Age Qualified Community in Hilltown Township without impacting other zoning districts. Included in this proposed amendment is a provision for on-site water and sewer in the event public facilities are not available. Also accompanying the request is a sketch plan showing the potential development of these tracts for approximately 500 age-qualified units.

One of the comments that was consistent from the Bucks County Planning Commission and the Hilltown Planning Commission was that the amendment as initially proposed potentially impacted other districts, most specifically the RR District, and not just this individual site. It had been suggested by the Bucks County Planning Commission that the developer consider this proposal as a stand-alone Zoning district that would not impact the RR District anywhere else in the Township. Therefore, the applicant subsequently submitted the application to the Township for the creation of a stand alone Zoning classification, which the applicant hopes will then be adopted and applied to the properties McGrath Homes currently has under agreement of sale.

Mr. Hecker noted that McGrath Homes is the largest builder of age-qualified homes in Bucks County, and stated that this concept of multiplex units is not provided for in the current Zoning Ordinance under the Retirement Village concept. The applicant did consider the Retirement Village Concept as a possible option early on in the process, however it was determined that it would not work with this proposal due to the type of product that is built by McGrath Homes. Mr. Hecker advised that this product has received state and national awards for its architectural styling. It has also received community awards from the National Homebuilder's Association, and is a product that

has been extremely well received by the community. McGrath Homes has been developing age-qualified communities for approximately 9 years in Bucks County; a need that has continued to increase. Mr. Hecker believes the need for this type of housing exists in this area as well, and believes that the site being proposed is suitable for the construction of this type of community.

Chairperson Rush wished to clarify that Hilltown Township currently permits age-qualified zoning, however it is not permitted in the RR Zoning District. Mr. Hecker explained that the applicant is requesting the re-zoning of these parcels from the current RR Zoning District to the newly proposed HUC zoning district. McGrath Homes has effectively proposed an Ordinance amendment so that the multiplex housing style, as it is defined in the Ordinance, can be contemplated in the RR Zoning District in Hilltown Township. Mr. Hecker explained that multiplex units consist of basically four separate units that are connected by garages. In many projects in other communities, the developer has not even had the opportunity to construct sample homes before the development was sold out. In fact, since McGrath Homes began this project in Hilltown Township, numerous inquiries have been received and the names of approximately 100 individuals are on a waiting list, having expressed an interest in purchasing a unit.

Mr. Evan Stone, the applicant's engineer, presented the site analysis that led to the development of the proposed site layout. The site contains approximately 182 acres with approximately 12 acres located to the northwest on Minsi Trail, and the balance of the site located to the east of Minsi Trail. The applicant considered land use patterns around the immediate area of the site, including the residential component, and the municipal component, which provides for a mix of residential and commercial along the Rt. 313 corridor. Aerial photographs were presented showing a good sense of the current land use of the site. The site is comprised of the Egly and the Hockman farmsteads along Minsi Trail and includes the Morris Run creek as well as an unnamed tributary to the Morris Run that runs through the site. A fairly extensive site analysis was conducted to study opportunities and constraints of the site, looking at natural and manmade features that will help to influence what can be done with the land. A complete soils analysis was conducted to understand the underlying geology and soils on the site, which predominately include the Rayville series silt loams, and the Kleinsville series silt loams. Best Management Practices for stormwater management becomes very important when reviewing the site relative to infiltration and aquifer re-charge. Some studies were conducted relative to permeability on the site, and it was discovered that the main area of infiltration was in the Conville Series on upland slopes. Most of the water on the site is running off into the surface waters with very minimal infiltration. Therefore, from a stormwater management standpoint, the applicant will try to maximize infiltration where they can, however Mr. Stone noted that the issue really becomes one of water quality when it gets to that level of design, so that vegetative matter and BMP practices for stormwater management begin to factor in. Mr. Stone has also reviewed the slopes of the

site, which includes 8% to 15%, 15% to 25%, greater than 25%, and the predominance of the site, which is less than 8%. Currently, the site is being actively farmed, and the areas that are not being farmed are those that include existing woodlands and streams. Most of the steeper slopes on the site are those associated with the watercourses as they traverse the site. A pictorial of the vegetation of the site was presented, with light brown indicating agricultural fields, and dark green indicating woodlands or stands of hedgerows.

The hydrogeology of the site was investigated as well. The unnamed tributary to the Morris Run, the Morris Run itself, and the manmade farm pond, which has been breached. The topography of the site includes ridgelines with a fold through the center of the site. Drainage patterns have been so noted in the investigation. A natural resources composite was then formed, over which all of these features have been overlaid to help shape how the site would be developed in order to fit the applicant's program to the landform itself. Some of the features of the proposal would be a 75 ft. buffer around all perimeters with the first 50 ft. proposed to be a landscaped buffer with berms. A clubhouse is proposed to be constructed in the approximate center of the property, while still respecting the natural drainage patterns and allowing room for water quality measures in terms of stormwater management, and essentially utilizing low-impact to the greatest extent possible. Mr. Stone advised that three crossings over the unnamed tributary to the Morris Run have been proposed, which were designed and placed to have the least amount of impact as possible, and of course, would have to be regulated. The mathematical comparison of those site features and what those disturbances to the major resource areas would be were then reviewed and it was determined that the site would be well below what is permitted by the current code. There will be some floodplain and wetland disturbance along with some steep slope disturbance greater than 25% in areas that are primarily associated with the crossings of the unnamed tributary to reach the opposite side of the site.

Mr. Stone provided a graphic showing the fee-simple ownership lots for a residential unit, which would provide each resident with approximately 3,500 sq. ft. of space, and depicting the common open space. He also presented a graphic showing buffering and berming along the perimeter of the site, which is proposed to be approximately 6 ft. in height. This would be worked in with existing vegetation and natural features along the perimeters with the idea that it is a multi-level planting atop a 6 ft. high berm, done in a native plant pallet to the greatest extent possible, which would hopefully provide the essence of the recreation of hedgerows of the farm fields that currently exist.

Mr. Stone advised that some of the plan conclusions are that the proposed plan would preserve open space and natural features by utilizing low-impact design principles to minimize disturbance and utilizing Best Management Practices for water quality and aquifer recharge to the greatest extent possible. Further, the proposed layout is situated to

maximize this potential. He noted that view-sheds were primarily internal to the site with viewscapes of the wetlands and the tributary to the Morris Run and the woodlands. Visibility would be primarily limited to the upland units along the edges of Minsi Trail and Rt. 313, and would be buffered by the proposed 50 ft. landscape portion of the 75 ft. buffer. Mr. Stone commented that the adjoining residential neighbors would benefit from those proposed buffers as well. The tributary to the Morris Run and the woodlands would remain as an open space corridor through the site, which he believes could even provide opportunities for further riparian buffering if deemed necessary. There is no development proposed on the 12 acres on the northwest side of Minsi Trail.

Mr. Kulesza asked the applicant to provide the Township with copies of the slides that were presented this evening, and Mr. Stone replied that he would.

Mr. Wayne Johnson, the applicant's Director of Site Design, commented that all of the land on the site is in two basic categories – one which would be the fee-simple lot area that would go with each dwelling sold, and one which would be the balance of the site, consisting of open space or homeowner's association owned land. None of the internal roadways will be dedicated to the Township. Mr. Johnson presented a slide show of the various projects McGrath Homes previously constructed in other communities, including the Villages at Flowers Mill in Middletown Township, which consists of a tract area of 228 acres, with a density of 2.96 units per acre, a development area of 63% and an open space area of 37%; the Villas at Shadybrook in Middletown Township, which consists of a tract area of 100 acres and a density of 3 units per acre, with a development area of 50% and an open space area of 50%; and the Villas at Five Ponds in Warminster Township, which consists of a tract area of 68 acres with a density of 4.12 units per acre, with a development area of 44% and an open space area of 56%. Mr. Johnson noted that the development area includes the villa lot area, road and driveway area, stormwater management area, and the recreation center, with the open space area comprised of common open space and natural preservation areas. This proposal consists of a 182-acre tract area with a density of 2.48 units per acre, with a development area of 41% and an open space area of 59%.

Of the 182-acre site, Mrs. Hermany asked the amount of land that would not be able to be built upon, no matter what, due to various site constraints. Mr. Johnson has not calculated the site in that respect. Rather the site was analyzed in anticipation of constructing the age-qualified type of housing that McGrath Homes has constructed in other locations. Mrs. Hermany commented that the Planning Commission does not know what those other three sites look like in terms of their density, and suggested that perhaps the density of those other sites was predicated by the way the units were constructed. Therefore, she asked how many units could be constructed on a by-right plan for this site. Mr. Johnson assured the Commission that the developer could build upon 41% of the site, which is approximately 74 acres of the entire site. However, in

addition to that and because it is not needed on this particular site, Mr. Johnson commented that the 59% listed in the open space area is also partially, if not in totality, capable to be built upon. He believes there is about 17 or 18 acres of land that could not be built upon in that particular category if the developer was to convert some of that area into development area. However, Mr. Johnson noted that the applicant's proposal is not to do that, and explained that the proposal is to preserve as much of that area of the site as possible. Despite the chart referencing the gross site area, Mr. Johnson commented that the applicant is very much aware of how density is calculated under the Hilltown Ordinance. Therefore, the applicant has proposed a density of five units per acre, and under the calculations for the net site area, the density works out to approximately 4.6. That density, by the way, is identical to the density that the Township currently provides for under the Retirement Village Zoning in the Ordinance. Chairperson Rush confirmed that it is 5 units per acre.

Mr. Brett Hannon, the applicant's Traffic Engineer who prepared the Traffic Impact Study (dated November 23, 2004) for this project, was in attendance to present a summary of the Study. The surrounding roadway network, in terms of its current operation, was considered and then determined the impact the development would have on the surrounding roadways, and to also determine what improvements are necessary to mitigate that impact. The following intersections were studied – Rt. 113 and Minsi Trail, Rt. 113 and Rt. 313, Schwenkmill Road and Minsi Trail, Blue School Road and Minsi Trail, Minsi Trail and Rt. 313, and Blue School Road and Rt. 313. Since the bridge on Minsi Trail is currently out of service, Mr. Hannon advised that two scenarios were assumed – that with the bridge being reopened and that with the bridge remaining closed. In summary, whether or not the bridge on Minsi Trail is reopened, Mr. Hannon explained that the applicant is proposing dedicated left turn lanes on Rt. 313 at its intersection with Rt. 113. In addition to the improvements that the CVS is currently constructing, Mr. Hannon explained that for a vehicle traveling eastbound on Rt. 313, there would be a separate left turn lane, a separate through lane, and a separate right turn lane. Traveling westbound, there would be a separate left turn lane and a shared through right turn lane. Chairperson Rush asked what the current level of service is for the Rt. 113/Rt. 313 intersection. Keeping in mind that when the Traffic Impact Study was prepared in late 2003, Mr. Hannon explained that the overall level of service at that intersection was level of service F in the a.m. peak hour, and a level of service E in the p.m. peak hour. He noted that there was a failing level of service for that intersection for the a.m. and p.m. peak hour with existing conditions. Chairperson Rush wondered if the level of service would remain the same when CVS Pharmacy completes their intersection improvements. Mr. Wynn does not recall what the level of service is anticipated to be once those improvements are complete. Chairperson Rush understands that there is no lower level of service than level F. Mr. Hannon agreed that was correct and explained that intersections are graded by level of service, which determines how an intersection operates. Intersections are graded from level of service A to level of service F, with A

being the best and F being the worst. Typically in this area, Mr. Hannon stated that there are not many level of service A intersections, though there may be a few level of service B intersections, but more than likely level of service from C through F are common, based upon the amount of traffic and developments in this area. Mr. Hannon stated that the level of service equates to and is determined by the delay at an intersection. Discussion took place.

The applicant is also considering providing left turn lanes and deceleration lanes at both access points to the development – one on Rt. 313, approximately 2,000 ft. west of the Rt. 113/Rt. 313 intersection, and one on Minsi Trail, approximately 1,675 ft. northwest of Schwenkmill Road. When analyzing certain residential developments, Mr. Hannon advised that the two major time periods for traffic are analyzed – that being the a.m. peak hour and the p.m. peak hour. The a.m. peak hours experiences the highest volume of traffic from 7AM to 9AM, and the p.m. peak hours experience the highest volume of traffic between 4PM to 6PM. Therefore, in order to improve an intersection, the first consideration would to be to consider signalizing an intersection. To do so, the intersection would have to meet certain warrants as determined by PennDot. Currently, the intersection of Rt. 113 and Minsi Trail meets signal warrants for only one time period – the p.m. peak hour. That intersection does not meet PennDot’s traffic signal warrants for the a.m. peak hour. That being the case, Mr. Hannon’s recommendation was to, at the discretion of the Township and PennDot, determine whether or not a traffic signal is feasible at that intersection. If it is not, that the developer would continue to evaluate the situation for a certain period of time to determine if a signal is warranted at that intersection. Chairperson Rush asked if that information was based on the Minsi Trail bridge being open or closed. Mr. Hannon replied that it was based on the bridge being closed, though he did review the intersection with the bridge being open as well. When Mr. Hannon did those traffic counts in November of 2003, he then prepared the Traffic Impact Study while determining a certain amount of growth based on census data of traffic for a certain build-out time period. At that point, Mr. Hannon assumed that this development would be under construction and built in the year 2006. Therefore, three years of growth, based upon census data and any other developments in the area that may affect those intersections, were taken into consideration.

Mr. Hannon commented that a 465 single-family dwelling unit development would generate three times as much traffic as an age-qualified development with 465 dwelling units, which would be due to the nature of the homeowner. In terms of trip generation, he noted that 465 age-qualified residential units would be equivalent to the development of 135 single-family homes. Mr. Kulesza asked what the daily number of trips would be. Mr. Hannon replied that a daily number for a single-family dwelling would be 10 trips per unit over the course of a 24-hour period. For this particular proposal, 465 age-restricted units would generate approximately 1,970 trips per day, while keeping in mind that a “trip” is considered a vehicle in and out. Mr. Hannon referred to a publication that

is widely used when preparing Traffic Impact Studies, which is called “2003 Transportation Engineer’s Trip Generation Manual – Seventh Edition.” Lengthy discussion took place.

Mr. Hannon commented that there is more traffic related to residents of a single family dwelling over the course of the peak hour period, than there would be for an age-qualified dwelling. He noted that the residents of an age-qualified home do not necessarily venture out on the roads during peak hours, rather they tend to spread their trips out more throughout the course of a day. Therefore, while the site would generate 10 trips per unit throughout the course of the day, the age-restricted development would generate 4 trips per unit throughout the course of the day. Mr. Hannon stated that the traffic associated with single-family dwellings is more concentrated during the peak hours than that within age-restricted dwellings.

Mr. Bradley asked if there is any demographic information available with respect to the previously constructed age-qualified developments, such as average age of residents, and the percentage of individuals that are retired versus those that are still in the workforce. Mr. Hannon is not aware of any of that sort of demographic information.

Mr. Dennis Glacken, the applicant’s professional planner, provided information concerning certain fiscal advantages to this type of development. Mr. Glacken advised that age-restricted communities have historically been developed primarily in Florida, Arizona, California, Nevada, and New Jersey. Approximately 87% of these types of communities nationwide are found in those states. Typically, individuals would retire and move to Florida or points south for the warmer weather, which has been the historical pattern for many years beginning in the early 1960’s. More recently, however, older individuals are more likely to remain closer to home for a variety of reasons – to be closer to their children and grandchildren, close to their health care providers, and to remain close to their churches or social clubs.

In terms of demographics, Mr. Glacken advised that the earliest baby boomers born from 1945 to 1963 are now just becoming 60 years of age, and are the prime candidates to move into an age-qualified community. Nationwide, there are 76 million individuals who are born between the years of 1946 to 1964. In Bucks County, the over-75 population group grew by 56% from 1990 to 2000, while the 45-55 age group grew by 51%. The total Bucks County population is projected to continue to grow from about 597,000 people today to approximately 634,000 in 2010. The median age for the Bucks County population is also growing older. Mr. Glacken noted that it was 33 in 1990, but is now 38 according to the year 2000 census. Pennsylvania has the second oldest population in the country. In Hilltown Township, the population was a little over 12,000 individuals in the year 2000, and the population is projected to grow by approximately 53% between now and the year 2030. The 55 to 74 age group in the 2000 census was approximately

16.7% of the population, or 2032 individuals. Working backwards, 45 to 54 year old individuals make up approximately 14.2% of the population, individuals age 35 to 44 make up approximately 17.9%, and individuals age 25 to 34 make up approximately 12.6% of the Township's population. Mr. Glacken advised that these types of communities appeal to individuals who are seeking a more manageable lifestyle, with little or no maintenance involved, and with the accompanying amenities such as a clubhouse, walking trails, fitness centers, etc.

Mr. Glacken is aware of several misconceptions about these types of communities. Several people have commented that there is a substantial amount of these types of developments being constructed in Bucks County. He agreed, however he noted that they are in demand. Many individuals have also questioned the density of such developments. Mr. Glacken provided Chairperson Rush with a copy of a chart from the Urban Land Institute from a publication called "Planning Active Adult Communities." This chart shows the percentage of services that an active adult community utilizes in relation to a non-active adult unit. The first item at the top of the chart is 33%, which is exactly as Mr. Hannon referred to when he advised that 1/3 of the traffic volume of a regular single-family dwelling development would be generated on a daily basis. This chart also refers to the need for street maintenance services at 35%, water consumption at 60%, wastewater generation at 75%, solid waste generation at 67%, police protection services at 25%, fire protection (non-medical services) at 33%, and emergency medical services at 110%.

Many people also feel that even though a community is considered age-qualified and would not have school-age children as permanent residents, the homes vacated by the new residents of such a community would be filled with families with school age children, thereby increasing the school age population, which requires more schools, more trip generations, and more school taxes. Mr. Glacken disagrees with that logic and stated that when people reach a certain age and decide that they want to move to a more maintenance free environment, they will move – whether it be to an age-qualified development in Hilltown Township or another municipality. Their home would most likely be occupied by a family with school age children, which is normal turnover that always occurs in a community as it ages. However, Mr. Glacken noted that what you can be sure of is that on this particular parcel of land, whether it is developed with 134 single-family dwellings or this proposed development, there will not be any children coming from the parcel in question. Chairperson Rush asked if the number of 134 single-family dwellings that Mr. Glacken just referred to is what he believes to be the by-right number of single-family dwellings that could be constructed on this site. Mr. Glacken believes that the figure was included in the Fiscal Impact Report that was previously submitted.

With respect to Earned Income Tax and fears some may have that retired individuals would not be paying this tax, Mr. Glacken recalls that the Earned Income Tax was enacted in an attempt to refrain from reliance on property taxes and to try to tie individual's ability to pay taxes to what they were earning. The number of units proposed for the age-qualified development versus the by-right plan in the Fiscal Impact Report shows that the Earned Income Tax is very similar, obviously because there are more units proposed in the age-qualified development. However Mr. Glacken noted that only 40% of those have been designated as working individuals, which is consistent with what his firm has done when preparing these types of reports. He advised that the services for age-qualified communities are simply less, since there are no school age children, and the residents are not seeking more playfields or areas for little league or things of that nature. The Township's high-ticket budget items include public works and police services. The streets in this proposed development would be private, and would be owned and maintained by a Homeowner's Association. Mr. Glacken believes that active adults, ages 55+ would most likely utilizing police services a bit less than families with teenagers, etc. Therefore, he feels that residents of an age-qualified development would use less municipal services, have been paying the Earned Income Taxes and Real Estate Taxes all of their lives, and are also probably earning more now than ever. Mr. Glacken commented that the type of individuals living in an age-qualified community is not dissimilar from the types of neighborhoods that are established in most communities.

There are often comments about the Fair Housing Act and the requirements thereof for age-qualified communities. Many believe that 20% of the individuals living in these types of communities do not have to be age 55 or older, and may have school age children. Mr. Glacken advised that the Fair Housing Act permits a developer to have up to 20% of the residents below the age of 55, however it is not a requirement. McGrath Homes does, however restrict children from living full-time in the community. Mr. Beatrice asked if that would prohibit a resident's grandchildren from visiting in the summer months. Mr. Glacken replied that grandchildren would not be prohibited from visiting for the summer months, and noted that those children would not be attending school or using the services of the municipality. Mrs. Hermany asked what would happen if a resident who is over 55 years of age marries a younger woman who would become pregnant. Mr. Glacken stated that it is certainly a possibility that the resident would be required to move out of the development, but if there were one or two children living in the development, it would not be a problem. Mrs. Hermany commented that there is that possibility that children could reside in the community after all. Mr. Glacken acknowledged that it could happen, however he noted that there would not be an overwhelming number of school age children under those sorts of circumstances.

With respect to the length of time these types of communities could remain age-restricted, Mr. Glacken commented these rules are clear, enforceable restrictions that would be recorded at the Bucks County Courthouse, similar to open space restrictions,

façade easements, or any other land use restriction that this Township might impose. Mr. Glacken assured those in attendance that these dwellings would not be converted to subsidized housing, which has been the rumor in other municipalities. He reminded the Commission that these homes would be selling for \$350,000.00+ and there is no way they would be converted to subsidized housing.

The Fiscal Report shows a positive revenue to the School District and the Township for two reasons. Before there are more units, there would be a higher assessed valuation, and the real estate taxes would then be collected over a higher assessed valuation number. Also, due to the increased number of units, the Earned Income Tax, which is really the Township's main source of revenue, is essentially the same. Because of the higher assessment, the Township would see additional revenues versus the 134 single-family dwelling unit plan. Obviously, the same situation would happen for the School District, with no corresponding cost. The residents of these types of communities would not be using the municipality's services as much because they would utilize the on-site clubhouse, walking trails, etc. for their recreation needs.

Mrs. Hermany questioned the impact of an age-qualified development on Middletown Township with respect to their administrative staff while trying to process the glut of permits necessary for a development of this size. Mr. Glacken commented that most municipalities establish building permit fees to cover the salary of the Building Inspector's time. Some time ago, Mrs. Hermany contacted Middletown Township and was told that there was tremendous concern over the fact that the workload for their administrative staff increased dramatically in order to process the necessary permits, as well as additional complaints, and increased impact on services that were never expected. Mr. Glacken stated that consideration must be given to the ongoing costs and the services Middletown Township is providing and the revenues they are receiving. Obviously, that development consisted of 675 units, which is a rather large number, which also sold very quickly and probably did overwhelm them at that time.

Mr. Beatrice asked if any data has been compiled showing the age of residents when the units were purchased. Based upon conversations Mr. Glacken has had with representatives of McGrath Homes, their buyers appear to be in the low 60-age range. It has been his experience that most individuals who purchase homes in age-restricted communities are normally in the 55 to 75 year old range.

Mr. Paul Callahan stated that McGrath Homes has extensive experience in the construction of age-qualified communities, and invited the Planning Commission and those in attendance to visit some of the completed McGrath Homes age-qualified communities to see how well the premise works. Many people who visit ask where all the vehicles are. From the standpoint of parking, Mr. Callahan explained that due to the way the product is constructed and because there is sufficient parking provided on site,

vehicles are just not visible. It is Mr. Callahan's personal experience, since he travels by the Villages of Flowers Mill on a daily basis for the past seven years, to see only one or two vehicles at the entrance to the development during the peak rush hour. He believes that is proof that there really is no significant impact on the traffic patterns from these developments. McGrath Homes has always tried to identify issues and concerns that may be raised when proposing age-qualified housing, and has determined that the only real issue with additional services might be for EMS, due to the age of the residents. McGrath Homes recognizes that asking a municipality to consider a particular tract of land in what is basically a new Zoning classification is certainly not without concerns. Whatever those concerns might be, McGrath Homes has built a reputation for recognizing the sensitivity of issues to a local municipality while working with them to resolve those concerns. One important factor Mr. Callahan wished to make clear is that the individuals who move into these types of developments become a very valuable asset by volunteering in hospitals, participating in community service programs, and becoming an integral part of their surroundings. With respect to health services, Mr. Callahan cited a recent newspaper article stating that in Bucks County, on a daily basis, more people reach the age of 80 than are born.

Mr. Kulesza asked if a majority of the residents are still in the work force. Mr. Callahan has no statistics as to whether or not the residents are retired or continue to work, but noted that the average age of the residents are 63 or 64 years of age. He commented that many continue to work as consultants from their homes. Mr. Kulesza recognizes that there are many benefits to these types of developments, and asked how many similar age-qualified developments may be projected within the next 10 to 20 years in this area. Mr. Callahan did not know. Mr. Kulesza asked if McGrath Homes intends to construct more age-qualified developments in this area in the future. If the need is there and the right property is available, Mr. Callahan believes that they will. Discussion took place as to the Township's current Ordinance provisions for Retirement Villages, of which this proposal for multiplex units does not comply. Mr. Callahan noted that these types of developments are also currently not permitted in the RR Zoning District. McGrath Homes initially proposed a zoning overlay, however the Bucks County Planning Commission and members of this Commission suggested that was not the way to go, because it would impact other properties within the RR District. Therefore, the applicant retreated from that concept and proposed a stand-alone HUC District.

Mr. Callahan presented a fiscal projection relative to the impact of the proposal. With 150 homes constructed, the Township would receive \$142,000.00 in revenue, and the Pennridge School District would receive \$78,397.00 in revenue. At the full build-out, which is estimated to take approximately 4 years, Mr. Callahan noted that the Township would receive \$427,000.00 annually, and the Pennridge School District would receive \$2,344,000.00 annually.

Public Comment:

1. Mr. John Clauser of 730 Minsi Trail read the following prepared statement “Many of us understand that development will occur and we accept that. We recognize that once developers purchase land, they have the right to develop the land based on the Code of the Township of Hilltown. Landowners have the right to sell their land and the developers have the right to buy it. Too often new development is viewed in either or terms – for example, Growth versus No Growth. This kind of argument is highly unproductive. Development is inevitable. Therefore, instead of debating whether or not growth will occur – the developers, the Township, and the residents should be discussing what it would look like. McGrath Homes has been responsible and has worked very closely with the residents of Minsi Trail, between Rts. 113 and 313, to insure that their issues are heard. They realize the importance of maintaining community in a rural environment. I personally have visited two of the McGrath developments – Shady Brook and Flowers Mills, which were mentioned earlier, and I believe they will construct an attractive neighborhood that will respect the environmental needs of the area. I’ve done some homework and found that McGrath has a good reputation, which is important in building a successful and viable community. These developers are striving to meet the needs of the landowners and residents, as well as focusing on community appearance, which are key elements in sustaining the economic well-being of this Township. The developers, the Township, and residents need to work together to create a community of which we can be proud, a community that is unique and aesthetic.”

2. Mr. Lawrence Owen of 506 Rt. 313 noted that he provided correspondence dated February 17, 2006 for the Planning Commission’s review. There are many points in the letter that Mr. Owen believes are justifiable for this particular type of development to be placed in this area of the Township, namely the density, which would make the development the largest in Hilltown’s history. Mr. Owen advised that the concerns and issues are duly noted in his letter, and hopes that the Township will be very responsible with respect to the impact a development of this size would have on the surrounding Minsi Trail region, and on the Township as a whole.

Mr. Owen is most concerned about the traffic impact. He experiences, first hand, the already congested traffic along that corridor, and believes that Rt. 313 is currently maxed out with traffic. To allow additional housing, which would be responsible for even more traffic along Rt. 313, in Mr. Owen’s opinion, would be a travesty. He reminded the Commission that additional development in the neighboring communities of Dublin Borough, Plumstead, and Bedminster also impact Rt. 313 traffic.

Mr. Owen’s interest is not only personal, but as a member of the Board of the Hilltown Historical Society. He noted that this development is proposed within possibly the largest wildlife and forested corridor in this quadrant of the Township, and includes

wetlands, open space, rural landscapes, and historic architecture and archaeological artifacts, particularly on the Fulmer/Rosenberger Farm, where a colonial glass works factory from the 1750's was located. Further, the Hockman and Egly Farms are both eligible for listing on the National Register. There is a portion of TMP #15-29-52, which would lead to a natural buffer between the proposed development and the residents located along Rt. 113 and Rt. 313. Mr. Owen advised that there is also the possibility of Native American burial grounds or evidence of their settlements that existed on those properties.

In conclusion, given the amount of concerns and discrepancies expressed by the Bucks County Planning Commission, the neighboring residents, traffic engineers, and other interested individuals, Mr. Owen urged responsible action and planning to unite the Age-Qualified Community with the existing fabric or context of the Minsi Trail Region.

3. Mr. Gary Brown of RT Environmental Services has been a professional engineer in Pennsylvania for the past 30 years, and has acted as the environmental engineer for the WaWa located at Rt. 113 and Rt. 313. Mr. Brown does not believe that the prepared Community Impact Report represents what the developer has stated this evening. He commented that there is very little objective information that actually substantiates the promises being made by McGrath Homes this evening. Obviously, the density is significant, and the change cited by the Bucks County Planning Commission is 10 times more than the surrounding area, with 450 units on 182 acres, versus 380 current units on 1,475 surrounding acres. The proposal before the Township appears to Mr. Brown to be spot zoning, which would result in a significant amount of urbanization. He believes it is incumbent upon the applicant to be honest about what is actually being proposed. Also troubling to Mr. Brown is the fact that the developer is proposing that the site be served by public water, though he understands that one of the wells that is going to be used is located on-site. He further noted that there would be less infiltration because the applicant is not attempting to follow Best Management Practices.

In Mr. Brown's opinion, the Planning Commission and the Board of Supervisors should be provided with many more details before this change of zoning is considered. There is a tributary located directly behind Mr. Owen's home, where the land has obviously been farmed very close to that waterway, however no buffer exists. Mr. Brown feels that the developer should be honest and should properly quantify their points and proposals in the Community Impact Report. He also feels that the Township should request additional information to determine what the true impact of this development will be.

4. Mr. Bob Winner of 700 Rt. 313 has observed the traffic patterns at the Rt. 113 and Rt. 313 intersection, which is very busy and very congested. McGrath Homes is willing to designate turn lanes in both directions, and along with the improvements to be executed by the CVS Pharmacy, Mr. Winner believes that most of the congestion at the

intersection would be addressed. While traveling Rt. 313 several times a day for his job, Mr. Winner noted that after the morning rush hour has passed, there is virtually no problem getting through that intersection. Further, he feels that the tax benefits from an over-55 community will provide an excellent tax structure for the Township, the funds of which could be used to purchase open space land. Mr. Winner has visited several McGrath age-qualified developments, which are showcases for this type of product. He encouraged the Planning Commission to look favorably on the applicant's request.

5. Mr. Paul Shenemann of 736 Rt. 313 owns land that abuts the property in question, and has been assured by McGrath Homes that they will address and correct the concerns he has raised with respect to water runoff. If single-family dwellings were to be constructed on the site, Mr. Shenemann believes he would be at a big disadvantage, since he currently owns many horses and dogs. McGrath Homes has assured Mr. Shenemann that they would notify any of their potential buyers of the existence of a neighboring property with horses and other animals. Mr. Shenemann is rapidly approaching the age where he might consider moving into an age-qualified community himself and would support the McGrath Homes proposal.

6. Mr. John Alf of 779 Minsi Trail echoed Mr. Brown's earlier comments. He does not feel that the applicant has adequately addressed the neighboring resident's concerns, with respect to stormwater runoff, traffic, sewage, etc. Mr. Alf doesn't believe that the applicant has provided enough information as to who would pay for the widening of the roads, and the installation of water and sewer lines. He asked the Township to exercise a great deal of caution before making any kind of decision about McGrath's proposal.

7. Ms. Sandy Williamson of Mill Road agreed with a statement made by the applicant's planner this evening in that as far as school age children goes, it would be a wash and believes that a fallacy has sprung up around age-qualified communities. Ms. Williamson toured one of the developer's age-qualified communities last summer, where Mr. Callahan advised that most people who move into their developments come from a 12-mile radius. She would imagine that those individuals would be leaving smaller, older homes into which families with school age children will move. As the planner pointed out, children will most likely move into the homes vacated by the new residents of the age-qualified development. Ms. Williamson commented that the applicant has not provided the Township with a projection of what it will cost to educate the 912 children that could move into those vacated homes. Since age-qualified developments are a relatively new concept, she does not believe that the developer, or anyone else for that matter, has the data with respect to resale of these units. Ms. Williamson has a feeling that these units' construction are fine for now, and the maintenance fees for the residents are relatively low due to the newness, however she questioned what the inevitable maintenance fees might be in a few years. Ms. Williamson noted that the previous Zoning amendment proposed by the developer featured a \$5,000.00 per unit contribution

to the Township in lieu of open space, and asked if the most recently proposed amendment still contains that provision. Chairperson Rush replied that there is an amount designated, however he is not certain of what that amount is. For that monetary provision alone, Ms. Williamson urged the Commission to exercise extreme caution when considering the applicant's zoning change request. The fact that a large cash contribution is being made in lieu of open space, in Ms. Williamson's opinion, is a very tricky and dangerous precedent to set.

8. Mr. Richard Scholl of 780 Minsi Trail questioned the traffic surveys that were conducted, and noted that he experiences great difficulty at the intersection of Rt. 113 and Minsi Trail when attempting to bring a trailer in or out to his property, due to the width of the road, the turning radius, and the traffic coming from Blooming Glen. Personally, Mr. Scholl is not opposed to the proposal by McGrath Homes.

9. Ms. Mary Anderson of 623 Minsi Trail commented that not much discussion took place concerning what will happen along Minsi Trail. She noted that the prospect of such a large amount of additional traffic on that road will most likely require the roadway to be widened, yet many of the existing dwellings are located very close to the road. Ms. Anderson stated that there are many families with young children living along Minsi Trail, and she fears for their safety.

10. Mr. Mark Antunes of 932 Callowhill Road has heard a number of statements about the minimal impact that this project would bring about, the aesthetic qualities it would bring to the Township, and the sense of community it would provide within the development itself. However, he commented that the developer seems to lack a great deal of detail when questioned about specifics regarding their previous developments. Mr. Antunes believes it is incumbent upon the Planning Commission and the Board of Supervisors to obtain the correct facts and details as they relate to prior developments. Mr. Antunes has visited a McGrath Homes development and commented that one man's showplace is another man's disaster zone. He felt that the development had a "cookie cutter" quality, and he disputed Mr. Callahan's earlier statements that there are not many vehicles seen going in and out. Each time Mr. Antunes visited the site, he has seen traffic backed up at the entrance. Further, Mr. Antunes directed the Commission's attention to the study showing a 10% increase on the demand for emergency medical services, and noted that the study itself was conducted by a firm who was promoting the community. If an objective study is required, Mr. Antunes advised that it should be conducted by an independent agency or group that is not funded by that group.

If the construction of an age-qualified community is indeed as beneficial to the residents as quantified by the supposed 100 individuals who have already expressed interest, Mr. Antunes wondered how many of those 100 individuals currently reside in Hilltown Township. Further, he fears that a precedence would be set by approving this applicant's

request for an amendment to the Zoning Ordinance for an age-qualified development in the RR Zoning District. Mr. Antunes commented that this is a capricious and discriminatory application of rules and laws. He urged the Planning Commission to require additional studies in order to answer these and other “hard” questions.

11. Ms. Victoria Halliday owns the former cigar factory in Blooming Glen and is a landscape architect by trade. She has worked for a developer for the last four years who constructed an age-restricted community called Waterview. Ms. Halliday stated that there are some fundamental things about this proposal that are not part of the formula for success for an age-qualified community. She feels the proposal is too large and will dominate the entire Township, thereby alienating residents with children. Ms. Halliday would not be opposed to an age-qualified community with less density, which she feels would be more appropriate for Hilltown Township. In her opinion, these types of communities are only successful if they are smaller and are located within an area with existing infrastructure that would provide for a more “walkable community.”

12. Mr. George Bedford of Rickert Road travels Rt. 113 on a regular basis, and is aware that a housing development with approximately 85 dwellings is being proposed in Bedminster Township along Rt. 113. This will result in even more traffic clogging Rt. 113 and Rt. 313, which is greatly affecting the quality of life for the existing residents of Hilltown Township.

13. Mr. Mark Higgins of 724 Rt. 313 had the opportunity to tour other similar developments by McGrath Homes, and he is very, very concerned about the density proposed for this site. He owns a partially wooded lot that backs up to the site, and is very concerned about being surrounded by an ugly view, which is what he currently experiences with his home fronting on Rt. 313. Mr. Higgins believes that this development will be approved, simply because of the money involved, and suggested that the Township ask McGrath Homes to reduce the density of the site.

Planning Commission Comments:

Chairperson Rush was very surprised that the concept of making Minsi Trail a cul-de-sac street was not mentioned by the residents, since the Township is in receipt of correspondence supporting this action. Mr. Beer advised that the Planning Commission, while considering and planning a development, always tries to avoid cul-de-sac streets. Therefore, Mr. Beer would not be willing to support permanently closing Minsi Trail and changing it to a cul-de-sac street.

Mr. Beer was unhappy with the proposed density and would request that the developer provide the Township with a number of single-family dwellings that could be supported on this site via a by-right plan. He has heard the number of 135 single-family dwellings,

but he does not know if that is correct. Mr. Beer commented that all of the “good” land will be where the units will be constructed, and the open space will be that on the fringes of the development. He is not ready to comment on the possible change of zoning, and requested additional time to consider the proposal.

Mr. Bradley sees such a huge impact that this development would have on a small, rural area of the Township. The density proposed is frightening, and the additional traffic it would generate, in Mr. Bradley’s opinion, would increase dramatically. He was not impressed with the financial advantages this development would provide to the Township, versus the benefit that would be realized by the school district. When a new community is proposed, Mr. Bradley advised that he and the Planning Commission must consider the entire Township’s perspective, not one or two property owners who might benefit. Mr. Bradley agreed that he would require additional time to digest the proposal and its impact on the entire Township. Mr. Kulesza commented that there are a number of issues that are troubling him with respect to this development. He found it interesting that several residents mentioned the historical features of the site, yet the applicant did not address those issues in their presentation. Mr. Kulesza is not certain that when a site survey was conducted that the developer ever had any concern about how it would impact the historical character of the entire area. He feels that the entire Minsi Trail area is a treasure and the Township is obligated to show great concern with what is proposed for the area. Mr. Kulesza believes that the Township needs to accommodate what the demographics are going to be, and not try to pretend that they will be something different. He feels that these types of community are a benefit in smaller doses, with much less density, and in more appropriate areas of the Township, such as the high-density areas that have been designated. Mr. Kulesza does not feel it would be beneficial to construct such a development in a rural, agricultural area where the amenities are not available to accommodate this population. Certainly the traffic is of great concern for Mr. Kulesza, and while it appears that time and care was put into addressing the traffic issue, it did not satisfy his concerns. He does not believe that a dedicated left hand turn lane on Rt. 313 will solve the entire traffic problem.

Mrs. Hermany is not opposed to age-qualified housing if it is constructed in the correct location. She would like to review the fiscal impact of 134 single-family dwellings, if that would be the actual appropriate by-right number for this site. Mrs. Hermany noted that there is a great deal of land on the site that is not buildable, and believes that the density proposed is huge for this area. She expressed concern with the density as proposed, and feels that the data presented was based upon assumptions. She requested that the developer provide the Planning Commission with more information, and a proposal for a by-right development on this site. Mrs. Hermany is also definitely opposed to allowing the bridge on Minsi Trail to remain closed and designating that roadway as a cul-de-sac street. If that were to be the case, Mrs. Hermany believes that many, many residents of other streets will make the same proposal to the Township.

Mr. Beatrice stated that the Township existing Ordinance currently provides for retirement communities, yet the applicant is basically saying that the Ordinances in place does not meet their needs, though they were not specific as to what changes would be needed to make those requirements more appropriate for what they are proposing. Mr. Beatrice also noted that it has been his experience that individuals with a self-interest, or individuals who will be directly affected by a proposal are the only residents who may attend meetings or speak out on a specific proposal. He referred to the Comprehensive Plan that was completed approximately three years ago, which contained survey results showing that a majority of Township residents were very clear that they wanted the Township to remain rural with more open space. Unfortunately, the McGrath proposal, if approved would require re-zoning for a very high-density use, which Mr. Beatrice believes would be a disservice to the majority of Township residents. For those two reasons, Mr. Beatrice would not be in position to support this proposal at this time.

Mr. Marino stated that all of the comments he has heard this evening have been legitimate, in one way or another, however it is his opinion that the proposal should move forward so that the developer can get some answers. Mr. Marino agreed with Mrs. Hermany that the density is much too intense for this site, but noted that it is important for the Township and the developers to work together when considering any development. Mr. Marino referred to a recent newspaper article from the Daily Intelligencer, which includes interviews of individuals who are currently living quite happily in age-qualified communities. He encouraged the Planning Commission to move the project forward as expeditiously as possible so that a final determination can be made as to whether or not this type of development would be conducive in this area of Hilltown Township.

Chairperson Rush does not feel that the discontinuation of the use of Minsi Trail would be appropriate, and he would be opposed. All things being equal, he would view an age-qualified community as an advantage to the Township, however all things are not equal. Chairperson Rush did not agree with the density that is being proposed for the site. He would be opposed to the original proposal to amend the entire RR Zoning District. Chairperson Rush believes that an age-qualified development could be an appropriate and creative use for this site, however in his opinion, the Ordinance amendment as presented by the applicant would not be feasible. If the submitted sketch plan is tied closely to the proposal, Chairperson Rush would be against moving it forward in this form.

If this proposal were to move forward, Mr. Beer would definitely be looking for intersection improvements at the Rt. 113 and Minsi Trail intersection and also at the Minsi Trail and Rt. 313 intersection. Mr. Marino agreed.

Mr. Callahan advised that representatives of McGrath Homes spent a great deal of time speaking to the residents in order to identify issues over the past few months and that

process will continue. He noted that many of the issues raised this evening, including improvements to Rt. 113 and Minsi Trail will clearly be discussed and resolved through the subdivision and land development process. Mr. Callahan commented that the approval of re-zoning is really a policy decision to be made by the Township, taking into consideration whether or not the property in question is suitable for the proposed use, and if the proposed use is being handled in the right way through the Zoning amendment. McGrath Homes is prepared to work with the Township to address concerns that may arise simply by the mere wording of various terms in the proposed Ordinance. After the Planning Commission has had the opportunity to make their comments and to raise issues they want addressed, Mr. Callahan hopes that the proposal could move forward to the Board of Supervisors, at which time the proposed Ordinance amendment could be reviewed by the Township Solicitor and Engineer, to be certain of a level of comfort. Mr. Callahan acknowledged that the sketch plan has not yet been completely engineered. What the developer is hoping to put into place, through re-zoning, are the rules to follow so that the final engineering can be accomplished. McGrath Homes intends to address anything that is connected to the land development process once the rules are in place. The Township must consider whether or not it is appropriate to establish a stand-alone district, and if the Ordinance, the way it is written or as it may be modified by comments from the Planning Commission or the Board of Supervisors, is the way to accomplish that. Mr. Callahan would appreciate the opportunity to take the next step to present this sketch plan and proposed Ordinance to the Supervisors for consideration, so that the plan does not languish for an indeterminate amount of time. Chairperson Rush does not believe that he has heard anyone embrace the sketch plan with the density as currently shown. He suggested that the applicant present an alternate version showing a different density. Mr. Callahan understands that concern, but reminded the Commission that a sketch plan is simply information that does not mean anything and is not written in stone. If the Planning Commission were to make a specific recommendation to the Board of Supervisors to reduce the density, Mr. Callahan is certain that the Supervisors will direct the applicant to comply. Mrs. Hermany noted that there are a number of things in the proposed Ordinance that the Planning Commission did not even touch upon this evening, rather they were reviewing the proposed concept as a whole. Mr. Kulesza is not convinced that a majority of the Planning Commission believes that a re-zoning of this site is appropriate, and those that do, are not necessarily agreeable to what has been proposed. He feels that to move this proposal forward would be premature at this time. Personally, Mr. Kulesza does not feel that re-zoning is appropriate for this site, because he views it as spot zoning.

Mr. Callahan advised that the Community Impact Report initially submitted to the Township in January of 2005 very specifically showed the fiscal impact of 134 single-family dwellings versus the 452 age-qualified quad units. If members of the Planning Commission are no longer in possession of that report, Mr. Callahan offered to provide it to them. Mr. Kulesza asked if the 134 lot by-right plan is assuming 100% of the

property to be buildable. Mr. Callahan replied that it is not, and reminded the Commission that this has not been formally engineered, but rather is a number that was arrived at based upon an analysis of the Ordinance that was used for comparison purposes versus the sketch plan. Lengthy discussion took place.

Mr. Kulesza requested a copy of the slide presentation that was shown this evening. Mr. Callahan was agreeable.

Public Comment (Continued)

14. Mr. Robert Dodge of 621 Minsi Trail explained that the issue of requesting that Minsi Trail become a cul-de-sac street was not mentioned by the residents this evening because they were under the impression that they were to limit their comments to the sketch plan proposal and the re-zoning issue only. He is certain that there are a great many residents who are in favor of making Minsi Trail a cul-de-sac street. Mr. Dodge feels that Minsi Trail is unsafe and would wholeheartedly support it being designated as a cul-de-sac street. Discussion took place.

Motion was made by Mr. Beer to recommend to the Board of Supervisors that the McGrath Homes plan not move forward with Minsi Trail becoming a cul-de-sac street. There was no second to the motion.

Mr. Kulesza is aware that many residents are concerned with the safety of Minsi Trail, and commented that he considers the road he lives on a dangerous road, and would love to have it turned into cul-de-sac as well.

Mr. Marino feels that the residents should have an opportunity to present their case as to why they want Minsi Trail to become a cul-de-sac street, and would take exception to the Planning Commission making a recommendation against it until the residents have that chance. Chairperson Rush believes that it is appropriate to hear the resident's comments, and stated that he certainly did not mean to stifle any resident's concerns regarding the cul-de-sac. He also encouraged the applicant to consider the comments heard this evening, and to take the Planning Commission's direction to appear before this board in the future showing an alternate by-right plan and an alternate sketch plan with less density.

D. PLANNING –

1. Braccia Subdivision (Planning Modules Only) – Mr. Wynn advised that the Braccia Subdivision Planning Modules would be available for signature following this meeting.

E. OLD BUSINESS: None.

F. NEW BUSINESS: None.

G. PLANS TO ACCEPT FOR REVIEW ONLY:

1. Cinnabar Farms Subdivision (Final)
2. Gitlin-Johnson Subdivision (Final)

H. PUBLIC COMMENT:

1) Mr. Mark Antunes of 932 Callowhill Road asked the status of the Zoning Ordinance amendments the Planning Commission has diligently been reviewing. He previously presented a model Ordinance regarding berm vegetative plantings that he received from the Bucks County Planning Commission for consideration.

Chairperson Rush personally hand delivered to the Supervisors at their Worksession meeting on February 13th, six items that the Planning Commission has completed its review of, including Conservation Management District, Farmstead Ordinance, Trades Business Ordinance, Barn Ordinance, Accessory Family Apartment Ordinance, and Bed and Breakfast Ordinance. The Buffer Ordinance amendment is the seventh item the Planning Commission believes they were previously directed to complete, which is still in the review process. Chairperson Rush had asked the Supervisors if the Planning Commission could continue as previously directed, and was told he would get direction at the next Supervisor's Worksession meeting.

I. PLANNING COMMISSION COMMENTS:

1. Chairperson Rush recognized that it was National Engineer's Week and commended Mr. Wynn on the fine job he does for the Township.

2. Chairperson Rush announced that the Board of Supervisors authorized an additional special Worksession meeting to continue review of the proposed Zoning Ordinance amendments for Thursday, February 23, 2006 at 7:30PM.

J. PRESS CONFERENCE: A conference was held to answer questions of those reporters present.

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K. ADJOURNMENT: Upon motion by Mr. Marino, seconded by Mrs. Hermany, and carried unanimously, the February 20, 2006 Planning Commission meeting was adjourned at 11:00PM.

Respectfully submitted,

Lynda Seimes
Township Secretary

(*These minutes were transcribed from tape recordings and are not considered approved until voted upon by the Planning Commission at a public meeting).