

COURT OF COMMON PLEAS OF BUCKS COUNTY, PENNSYLVANIA

Appellant,

V.

UPPER MAKEFIELD TOWNSHIP
BOARD OF SUPERVISORS,
Appellee.

LAND USE APPEAL
ZONING CASE

ORDER

AND NOW, this _____ day of _____, 2020,
upon consideration of the Stipulation of Settlement, approved by counsel for Appellant
and counsel for Appellee, it is hereby ORDERED and DECREED that the terms of the
Stipulation of Settlement are approved.

J.

COURT OF COMMON PLEAS OF BUCKS COUNTY, PENNSYLVANIA

[REDACTED]
Appellant,

V.

UPPER MAKEFIELD TOWNSHIP
BOARD OF SUPERVISORS,
Appellee.

[REDACTED]
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STIPULATION OF SETTLEMENT

IT IS HEREBY STIPULATED, by and between [REDACTED]

("Appellant") and Upper Makefield Township Board of Supervisors ("Appellee") as follows:

FACTS:

1. Appellant is the legal owner of a certain tract of land known as Tax Map Parcel No. [REDACTED] consisting of approximately 19.186 acres, located at [REDACTED] Upper Makefield Township, Bucks County, Pennsylvania (the "Property").
2. Appellee is the Board of Supervisors of Upper Makefield Township (the "Board").
3. The Property is zoned CM – Conservation Management (the "CM District") under the Joint Municipal Zoning Ordinance ("JMZO") adopted by the governing bodies of Newtown Township, Upper Makefield Township and Wrightstown Township.
4. The Property is currently improved with an existing barn with seventeen (17) stables and an attached 12,600 square foot indoor riding arena, a two-story barn

Property; provided, however, that private events attended only by the family and friends of the owner shall be permitted at the Property.

(h) Riding lessons shall take place between the hours of 7:00 am and 9:00 pm. There shall be no more than twenty-five (25) separate lessons (whether group or individual) offered each week and no more than eight (8) individual lessons per day.

(i) Group riding lessons shall be limited to a maximum of five (5) students per instructor.

(j) There shall be no aquatic rehabilitation of horses on the Property.

(k) There shall be no other animals on the Property, except the horses permitted by subsection (a) above and domestic pets of the residents and guests of the Property.

(l) The Applicant shall insure that dust control measures, such as wetting surfaces, or alternate methods as may be approved by the Township, are utilized to minimize dust in the non-vegetative riding area.

(m) The Applicant shall add no additional impervious surface to the Property.

(n) The Applicant shall comply with all Federal, state, county, and local laws, ordinances, and regulations.

2. The three existing dwellings on the Property may remain and be occupied, provided that the Bucks County Department of Health issues permits for all sewage disposal systems serving the dwellings as well as the existing barn, and further provided that, within seven (7) months of the signing of this Stipulation (or such longer period as may be agreed to by the Board of Supervisors in writing), at least one of the dwelling

units shall be occupied at all times by the owner or a full-time employee of the agricultural use on the Property.

3. This Stipulation of Settlement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

4. This Stipulation of Settlement may be executed in two or more counterparts, each of which shall be deemed an original and all of which, when taken together, shall constitute one and the same instrument.

5. Any amendment, revision or other changes to this Stipulation of Settlement must be in writing, signed, and consented to by all the parties to this Stipulation of Settlement.

[Signature page follows]