

Veterans Cemetery Battle Almost Laid To Rest



PHOTO ILLUSTRATION (DAN HIRSCHHORN/*The Bulletin* AND CHARLES DHARADAK/AP)

The empty cornfield in Upper Makefield Township is almost ready to be turned into a national cemetery for veterans. But those who have fought for it still aren't assured of it yet.

Local Vets Have Fought For Years To Transform A Cornfield Into A National Cemetery. Now, The Fight's Almost Won.

By DAN HIRSCHHORN
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UPPER MAKEFIELD — Donald Harris and Clarence "Sam" Wells are sitting on the back of a pick up truck, reminiscing about their days at war, and taking in the serenity of the vast cornfield where they hope to be buried one day.

It's been a long, frustrating wait for the army veterans and their brethren, four years since the prospect of having a national cemetery in this Bucks County township first came to light. Aging veterans, facing a shortage of military burial options in the region, were ecstatic then.

Four years later, after legal fights and political jockeying, they're ecstatic again. Following a key zoning approval Monday, their dream is finally nearing fruition.

"You've got to put me somewhere," says Mr. Wells, an 83-year-old veteran of World War II. "I don't want to go all the way to Arlington."

Mr. Harris, 79, shares his friend's excitement, but with a tad more skepticism.

"I want to see the first guy go in the ground here," he says.



"You look at the trees, you look at the site. It's just so peaceful. It's what a national cemetery should be."

Antonio Albano
*President Of The Guardians
Of The National Veterans
Cemetery, Bucks Co.*

"Not that I don't have faith, but ..."

He trails off, and it's easy to understand why. They've been here before. And more than once. First, it was Toll Brothers — the regional homebuilding powerhouse — keeping their dream at bay. Then, it was a local resident looking to cash in. Now, even with the stars in seeming alignment, two lawsuits remain, complaints Mr. Harris and others dismiss as frivolous.

Today, the veterans are looking forward. With freshly-harvested cornstalks on the ground still crisp even on a cold, wet, autumn afternoon, a veteran of Vietnam imagines what the cemetery will look like.

"You look at the trees, you look at the site. It's just so peaceful," says Antonio Albano, president of the Guardians of the National Veterans Cemetery, Bucks County. "It's what a national cemetery should be."

The township's board of supervisors Monday granted Toll Brothers permission to build more homes than local zoning allows on a plot of land nearby (federal zoning rules for national cemeteries allow the development). That was Toll Brothers' price for agreeing to sell 200 acres of the cornfield to the U.S. Department of Veteran Affairs (VA) at a price well below market value.

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National Cemetery In Bucks Long Time Coming

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Toll Brothers says it will soon proceed with the sale, and the VA says it hopes to begin burials next year.

It was supposed to happen long before. On Veterans Day in 2003, President Bush signed legislation authorizing the construction of six national cemeteries, including one in Southeast Pennsylvania. About 170,000 veterans live in a 75-mile radius of Philadelphia and other national cemeteries in the area are either full or running out of space fast.

"There's no question that it's needed," Mr. Harris says, his legionnaire's hat covered in pins.

Immediately, veterans and politicians began vying for the cemetery. More than a dozen sites were quickly pared down to a few. When a site in Chester County fell through, the cornfield off Washington Crossing Road — only a few miles away from where soldiers from George Washington's army are buried — became the favorite.

But Toll Brothers owns the land, and with it the key to any development. The company was willing to part with the property for significantly less than it had paid — so long as it could build a large number of

A Grave Series Of Events

President Bush signs the National Cemetery Expansion Act on Veterans Day, authorizing six new national cemeteries, including one in southeastern Pa.
Nov. 11, 2003

U.S. Representative Mike Fitzpatrick (R-Pa.) announces that a 200-acre tract in Upper Makefield Township in Bucks County is now the site favored by the VA for a new national cemetery. The Bucks County Commissioner, crediting Mr. Fitzpatrick for the turn, says "He would not take no for an answer."
Jan. 6, 2006

Residents Leo Holik attempt to purchase land owned by the Council Rock School District, land being considered for a swap with Toll Brothers to allow the cemetery deal to go through.
June 13, 2006

The Upper Makefield Board of Supervisors grants Toll Brothers approval to build homes on the tract owned by Council Rock School District, satisfying Toll Brothers' conditions to sell the VA property for a national cemetery.
Oct. 22, 2007

Dec. 7, 2005
State officials offer to sell the land to the Dept. of Veterans Affairs at a price below the market value. Two sites in Bucks County and a plot near to a state prison in Montgomery County are also being considered

Feb. 1, 2006
Homebuilder Toll Brothers tells the township it will only sell the 200-acre tract intended for the cemetery if allowed to develop a minimum of 235 single-family homes nearby, a density greater than allowed by current zoning.

March 1, 2007
U.S. Representative Jim Gerlach (R-Pa.) tells the VA it should reconsider the site previously offered in Chester County.

June 7, 2007
Council Rock School District agrees to sell a tract of land to Toll Brothers, clearing the way for the homebuilder to sell to the VA the 200 acres in Upper Makefield slated for a national cemetery.

Sept. 26, 2007
Sixteen residents file a lawsuit in the Bucks County Court of Common Pleas trying to block Toll Brothers' plans to build homes adjacent to a national cemetery in Upper Makefield.

homes in the vicinity.

This is the area of rolling hills and winding roads, where development has slowly been creeping out from the city for years, much to the chagrin of residents. So, some residents did what they were used to doing: They fought development plans with a fervor.

"The folks here have fought housing for so long, any compromise that involved housing was hard for them to take," says Frank O'Donnell, a retired army reserve colonel.

But a year and a half after Toll Brothers made its demand, the veterans call what ensued a model of democracy.

"This was a grand compro-

mise," Mr. Albano says.

Through a crafty land swap deal, Toll Brothers gets to build its homes, though not quite as many as it had hoped. Residents get open space preservation. The veterans get their cemetery.

"We're very happy that we were able to work this out," says John Mangano, a Toll Brothers executive who oversees parts of the region. "It was a long road, and there was a lot of opposition. But there was more support."

That support isn't coming from a group of about 20 area residents, who allege Toll Brothers was given special consideration outside the law. They've sued the township,

along with Newtown Township and its zoning board. A preliminary hearing will be held next month.

"The residents do not object to the cemetery, but rather to the high-density housing that will burden their area," says Darrell Zaslow, a lawyer representing the residents.

John Rice, Upper Makefield's township solicitor, waves off the lawsuit.

"It's borderline frivolous," he says. "I think it's a bit of reach."

A separate lawsuit is challenging the land swap deal. But all parties seem to be moving forward. Toll Brothers is preparing to sell

the land to the VA. Mr. Mangano says it will go for more than the \$7-million price tag that was previously discussed. He declined to say how much more.

The VA is readying design plans and funding. The cemetery will grow slowly, over the course of about 20 years. Flat tombstones are likely, and veterans envision vast open space. A park for the entrance is also being considered.

"I'm still a little bit in shock," says Daniel Worden, chairman of the Upper Makefield Township Board of Supervisors and one of the most prominent advocates of the cemetery site.

"It will be a jewel," Mr.

Worden adds. "If you look at the rolling hills, when the sun comes up and goes down, you see vapors rising. It's beautiful."

Back in front of the cornfield, Mr. Albano points in the direction of where George Washington's army crossed the Delaware River. He then gestures toward the cemetery where the some of the first president's revolutionary army is buried a few miles away in the nation's first national cemetery.

"There's so much history around here," he says. "This feels like a continuation of that history."

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