

**Minutes from the
DOYLESTOWN TOWNSHIP PLANNING COMMISSION
Reorganization \ Regular Meeting**

January 28, 2013

The Doylestown Township Planning Commission Reorganization \ Regular Meeting was held at 7:00 p.m., Monday, January 28, 2013 in the Doylestown Township Municipal Building, 425 Wells Road, Doylestown, PA. Members of the Planning Commission in attendance included: Chairman; Judy Hendrixson, Vice Chairman; Kenneth L. Snyder with member; Thomas Kelso. Also in attendance was Township Manager; Stephanie J. Mason, Board of Supervisor Liaison; Richard F. Colello and Township Planning Consultant; Ms. Judy Stern Goldstein

Absent: George Lowenstein and Edward Redfield

Review of Minutes:

In the form of a motion by Mr. Kelso; seconded by Mr. Snyder the November 26, 2012 Doylestown Township Planning Commission Regular meeting minutes were approved.

Motion carried 3 to 0.

Reorganization:

In the form of a motion by Mr. Kelso; seconded by Mr. Snyder to retain the current slate of officers and re-elect Ms. Judy Hendrixson as Chairperson and Mr. Kenneth L. Snyder as Vice-Chairman of the Doylestown Township Planning Commission during 2013.

Motioned carried 3 to 0.

Public/Commission Comments: None

Penn Color, Inc. – Sketch Plan

Engineer; Carter van Dyke provided the commission with a brief history of the proposed sketch plan to include the review of Penn Run Road frontage as per the Pennsylvania Department of Transportation (Penn Dot) Phase II requirement. Phase II proposes to relocate the driveway into the parking lot further away from the road. Storm water improvement and curbing are also proposed.

The site performs a challenge being zoned residential with a nonconforming use that includes a warehouse, office building, storage facility and a parking lot located across the street. Penn Dot requested the parking lot be moved to an opposite entrance. Additionally, the site has developed six different parcels over the years.

The goal is to comply with Penn Dot's requirements and update the parking lot within specifications and not to increase the imperious surface on the combined parcels roads. To achieve this, the imperious surface was removed along the Pine Run Creek to create an opportunity for a buffer, which doesn't exist currently. The second goal is to

construct a separate residential lot. This task will be complicated with a parking lot located on two separate parcels. The third goal is to propose an 8 foot wide future bike/hike path as per the request of the Bike/Hike Committee.

Upon reviewing the January 18, 2013 Boucher & James, Inc. review letter, Mr. van Dyke indicated the applicants will comply and noted the following...

1. Issues of Concerns:

- a. Three parcels will be shown on the plan. A notation on the plan states a parcel cannot be sold off or subdivided separately from other parcels, because of the parking path. Variances will be requested, because the combined total of parcels are greater than five acres as listed under the residential district ordinance. Another parcel at 1.3 acres will be a nonconforming lot.
- c. The variances will be reconfigured to avoid confusions. Details are needed to be worked out with a nonconforming front yard for the parking which extends into the right-of-way.

2. Use:

- a. A variance will be requested to extend the parking into a conforming use, as per township criteria noting half of the front yard setback at 100 feet. Applicants will be asking for the additional ten feet to have the necessary buffer of street trees.

3. Area and Dimensional Regulations:

- c. ZO Section 175-38 - Mr. van Dyke noted a parcel with an existing nonconforming rear yard property line where once switched. The property line resulted in a nonconforming side yard and a conforming rear yard. Ms. Stern Goldstein responded; that condition is nonconforming. She then clarified; the condition of the lot size opposite of Pine Run Creek is similar as an existing nonconforming and doesn't need a variance, because the conformity is not being increased or added to.
- f. ZO Section 175-39 – Mr. van Dyke questioned if a buffer will be needed for one of the lots. Ms. Stern Goldstein answered; it's going to be separate lot and technically a buffer is required.

6. Landscape and Buffer Yard Requirements:

Mr. van Dyke noted some existing street trees will be taken down to comply with Penn Dot requirements. Ms. Stern Goldstein suggested the removal of trees be documented as per a section in the township's subdivision land ordinance (SALDO) based upon caliber inches. Replacement trees may be required based upon how many trees are being removed.

Mr. van Dyke concluded by requesting the commission's input and/or comments prior to the applicants meeting with the Zoning Hearing Board.

Mr. Kelso offered to provide the applicants with a copy of a study performed by Gilmore & Associates in 2007 regarding restriping Old Dublin Pike to provide an additional shoulder.

Mr. Kelso then questioned lighting plans for the site. Mr. van Dyke answered; depending on the cost, solar lighting is intended due to lack of electricity in certain areas of the site.

Ms. Stern Goldstein questioned if the plan notes a proposed entrance drive for the residents. Mr. van Dyke answered; currently the driveway is not distinguished from the parking lot other than wheel stumps. However, he will make a note to check if an existing tree is blocking the area and leave the driveway in the same location. An occupancy permit will be submitted, if the plans are designed to move the driveway. Mr. Kelso questioned the existing curb on Old Dublin Pike. Mr. van Dyke indicated the curb is straight and doesn't continue into the parking lot. They are aware of a drainage issue that may appear. When final plans are submitted to Penn Dot, the issue will be addressed.

Mr. Snyder questioned if the main driver is trying to satisfy Penn Dot. Mr. van Dyke answered; due to Penn Dot's requirement of Phase II, the driver is being relocated to the entrance.

Ms. Hendrixson questioned if the property near the pumping station considered a division where something can happen. Mr. van Dyke answered; the area will be merged into one parcel and derestricted.

Public Comment:

Resident; Curt Frase questioned what was the construction for during the pile driving that occurred approximately six weeks ago. Mr. van Dyke had no knowledge of the pile driving. Mr. Frase requested clarification if the proposed sketch plan was only to expand the driveway. Mr. van Dyke clarified; there will be no expansion of the office facilities. Only the transfer of pavement from one side to another will be performed. He then noted an area to stabilized turf compliant with township ordinance located on the site and will be counted as imperious surface. Ms. Hendrixson noted a buffer will be required as well. Mr. van Dyke agreed.

Mr. Frase then questioned plans for the existing office space. Mr. van Dyke answered; the existing two story office space will be utilized as Penn Color owner; Ken Putman's corporate headquarters. The existing warehouse will be occupied for employee use. Additionally, tractors trailers will be entering the site with careful consideration of their turning radius.

Resident; Bruce Keppler of 118 Windsong Drive questioned if the water flow issue from Pine Run to Chapman Roads will be addressed where a retainer wall will not be constructed. Mr. van Dyke answered; two items will be completed to address the water issue. First; a reduction in the amount of imperious surface to create a buffer. The intent of the buffer is for water quality to purify the water before catching the stream. Second; the imperious is being captured to handle the storm water management as part of the township's requirements.

Ms. Stern Goldstein questioned if storm water management improvements will be made along Pine Run Road. Mr. van Dyke could not comment in detail, but noted discussions are currently in process with Penn Dot and the township engineer.

Mr. Frase questioned if additional lighting will be provided. Mr. van Dyke responded; if affordable, solar lighting will be installed along the parking lot.

Ms. Stern Goldstein questioned if there will be no improvements at the main parcel opposite of Highland Road, except for the removal of some imperious surface and possible planting. Mr. van Dyke clarified; the Penn Dot improvements have not been completed. Upon Phase II approval, Phase I and II improvements will be completed to include the section along Pine Run Road. Ms. Stern Goldstein suggested improvements be located on the public right-of-way and not part of land development. Mr. van Dyke agreed.

Offices at Blueberry Hill – Sketch Plan

Owner of the Offices at Blueberry Hill; Chris Cafiero of Penmark Management provided the commission with a brief background of their management/real estate business and noted the property was purchased under a bankruptcy approximately one year ago.

During the past months, Mr. Cafiero has cleaned up the neglected site and secured two leases with The Learning Experience and Verizon Wireless. The Learning Center leased 12,000 square feet of the 16,000 square foot two story building located in the back of the property. An elevator will need to be installed as well as, a proposed playground constructed subject to a prior zoning hearing relief. The Verizon Wireless store will occupy approximately ½ of the barn located on the property. Mr. Cafiero noted due to a lack of interest, it has been difficult to lease the remaining buildings. Engineer; Carter van Dyke added the location where Citibank is currently leasing is considered a second condo building, which is not owned by Penmark Management. Additionally, Citibank is schedule to end their lease and move out of the building. This will also make it more difficult to find a renter.

Mr. Cafiero reviewed several issues with the existing property and requested commission's direction with possible improvement ideas to assist with leasing efforts. One idea was to tear down the existing manor house, which was not accepted well during a recent meeting with township officials.

One of main issues is timeline; a playground will need to be constructed for the Learning Center and Verizon Wireless requires ADA accessibility prior occupying the space. Parking and dumpster issues also need to be addressed with Zoning Hearing Board as soon as possible.

Mr. van Dyke also mentioned three long term concerns. Such as, insufficient parking making the buildings not leasable due to limited spaces available for patrons, insufficient access and circulations. Although there are three walkways along the property, they are not ADA assessable and there is no walkway leading to the carriage house. The sketch plan will propose to create a parking area to increase the number of parking spaces to have the site become more effective. This will also have the parking area become more efficient and less imperious, especially along the manor house.

Ms. Stern Goldstein noted there is a significant amount of parking available in front of the Kohl's Department store as part of a prior Zoning Hearing Board decision for shared parking. There is also an internal circulation parking as part of the improvement request by the previous developer. Ms. Mason added; the parking for Citibank is also a shared area. Mr. Cafiero responded; technically the number of spaces shared meets within the criteria of compliant parking and within a miles distance from the property. However, it's not practical for a patron to walk such a long distance to utilize the site at approximately 32 steps. As a background to the history of the site, Ms. Stern Goldstein explained this was a condition for parking requirement agreed by the prior owner to have the additional buildings on site. Mr. Cafiero agreed with Ms. Stern Goldstein's comments, but stated it doesn't work.

Mr. van Dyke then presented the commission with some ideas for improvements. Based upon a conversation with a representative from Penn Dot, the applicants propose...

- A) A right in only entrance off Route 611 with a right out only off of Almshouse Road. This will create more parking and a green buffer.
- B) Adding double loading parking with a community dumpster and seven more parking spaces as per Zoning Hearing Board recommendation. A through route will add more parking spaces. It will also increase the imperious surface from 74.6% to 83%.
- C) The assumption to utilize porous materials along the proposed play area. The material is compacted zone sub base to consider the area imperious for zoning calculations.

Ms. Mason questioned how cars will turnaround behind the carriage house and suggested the Planning Commission schedule a field trip to view the site in its entirety. At a recent tour she and Ms. Stern Goldstein conducted with applicants, the issue to reconstruct the porch off the carriage house should be considered to provide additional turning space. Mr. van Dyke clarified; the porch would be reconstructed to shorten a bracket while still maintaining integrity. Mr. Cafiero explained; this is one of the aspects that will be included in their request for relief from the Zoning Hearing Board. Additionally, a "no parking" sign will be painted along the last parking space.

Mr. Snyder questioned what benefit the new entrance provides. Ms. Mason answered; direct access versus indirect. Mr. van Dyke added another benefit is to allow a much better configuration than a dead end.

- D) Another idea proposed is to create a lower level restaurant that is within the same grade of the lowered parking area.

Ms. Mason questioned if parking spaces will be added along the barn near the Verizon Wireless building with all utilities. Mr. van Dyke responded; yes, if the plan can work.

Ms. Hendrixson questioned what type of tenants are the applicants looking for? Mr. Cafiero is considering a realtor and beauty and day spa for the 6,000 square feet in two usable floors located in the manor house.

Mr. van Dyke then explained the applicants have several goals to accomplish in a short period of time. The first is to occupy the space with tenants and retain them. With a possible high turnover threatening to kill the project, Mr. van Dyke appealed to the commission to help the applicants make the site a success.

Mr. Snyder questioned what is stopping the tenants for occupying the building. Mr. van Dyke explained for the learning center, there are 15 different versions of the lease agreement with the last noting a daycare fenced in play area. Ms. Stern Goldstein clarified the latest version was completed as a Zoning Hearing Board exhibit and not part of the land development. None of the exhibits were incorporated into land development because the applicants did not have a tenant. Ms. Mason added Township Engineer, Mario Canales will review all materials and incorporate them into one land development plan noting what the Zoning Hearing Board approved. She then suggested Phase II should incorporate all the ideas to improve the site, such as parking.

Mr. van Dyke indicated because of additional imperious surface to get the barn lifted, elimination will be shown in some pavement areas. This is due to a service product not needed, because a restaurant not being considered.

The applicant will also not exceed the imperious surface in order to obtain a permit. Mr. Cafiero indicated it will be difficult because some buildings will have to be demolished. Hopefully, a couple of their ideas could be included in the revised plan so they may approach the Zoning Hearing Board.

Ms. Mason suggested the focus be placed on the learning center first so it may go through the land development process. Adding too many goals may slow down the progress and details may be missed.

A discussion ensued amongst the commission and applicant regarding what steps should be taken to address the learning center issues.

Ms. Hendrixson suggested a workshop be scheduled to view the site due to the complexity of the plan. Ms. Stern Goldstein suggested the applicants should decide what they want and need prior to scheduling a workshop.

Mr. van Dyke indicated there are two issues which need to be address immediately. First issue is the daycare's play area, additional parking and dumpster. The second issue is the new walkway and ADA ramp for the Verizon Wireless store. Additionally, a vault is located underneath the Verizon site and extends out. This is considered a separate structure with a pre-existing condition. The zoning officer strongly advised the area has to meet code. The applicants don't want to remove anything unless it can be written in and bonded so if the plan does not proceed to the second phase, it has to be removed.

Mr. Kelso questioned if there are any zoning issues associate with Verizon. Mr. van Dyke indicated imperious surface issues are noted. Mr. Kelso then suggested a waiver of land development be requested.

A discussion ensued between the commission and applicants regarding how to approach requesting a waiver for land development.

Mr. van Dyke questioned if the applicants will not need to address the learning center play area issue again since the Zoning Hearing Board already approved it. Ms. Mason responded; the play area issue doesn't need to be readdressed. However, the imperious surface will need to be address because of the new wood fiber standards.

Mr. Colello questioned if it's the applicants contention to tear down the existing manor house completely. Mr. van Dyke answered: if the manor house was demolished, it will improve visibility to the carriage house for immediate usability. The existing manor house is ornate inside and out with bearing walls and makes it very difficult to have comfortable office use. Mr. Colello then questioned if the demolition will improve the intersection with regards to turning. Mr. van Dyke indicated the applicants met with some resistance to the idea of tearing down the manor. Ms. Stern Goldstein clarified the resistance came from the prior Zoning Hearing decision with the additional imperious. The prior developer was permitted to add imperious with a promise in maintaining the manor and carriage house plus significant trees. However, Penmark Management is free to reopen the discussion.

The commission agreed to schedule a work session and site tour on Monday, February 4th at 3:30pm with applicants.

Thompson \ Almshouse Road – Sketch Plan

Michael L. Beuke of Showalter & Associates provided the commission with a brief history of the 2.37 acre property located on 705 Almshouse Road to include owners; John and Rena Thompson's redesigning the original home into an art studio and building a new home in the back of the property.

Recently the new home has been placed for sale. The applicants are now requesting a subdivision to convert the original home back to a residence to make the property more desirable for prospective buyers. The proposed subdivision is to consider a flag lot access to the rear home and have the original home as a separate parcel. A mirror image of the condition requested exists at a residence located next door to the Thompson's property. The applicants understand zoning relief will be needed. The intent is to provide enough land for the front home and livable space. A variance will also be requested due to the property being over two acres. Mr. Beuke concluded; the plan is currently in the sketch plan phase and questioned if the commission is receptive to the idea.

Ms. Hendrixson questioned the existence of access to the smaller lot and garage. Mr. Beuke noted everything on the sketch plan is existing with no proposed improvements. Also, a small piece of grass separate two driveways. The existing garage has no paving and small enough to be considered a shed. There are also no improvement plans for the garage.

Mr. Colello commented how troubling to see two homes on a single lot, where only one should stand. Ms. Mason noted the applicant's choices are either a) sell the home as a single family with a studio and not as an in-law suite b) sell the home as is and change the studio into an in-law suite c) Tear down the original home and sell the property as one single family home on approximately two acres d) go to the Zoning Hearing Board to receive variances for a subdivision land development process. Mr. Beuke clarified the intent is not to create two single family home on one property. It's already considered two residences. There is no proposed construction requested outside the building envelope. The front home is only to be considered a residence, which is still useable.

A discussion ensued amongst the commission and Ms. Mason if the original home is considered a residence, front yard setbacks will have to be addressed and the conditional use of the property next door.

Ms. Mason clarified John and Rena Thompson are selling the second home located in the back of the property and will continue to live in the original home in front of the property on a part time basis.

Mr. Kelso questioned if there is an existing sewer system for the second home. Mr. Bueke answered; two sites were tested and both perked without issues. The existing residence has a septic field behind the home. Mr. Kelso then questioned if there is enough room for a replacement area. Mr. Bueke did not see an issue, pending whether or not minor subdivision is approved. Mr. Kelso noted is may be an issue with the Zoning Hearing Board with the area being too small. The existing required setback based upon the lot line is within the proposed building setback. There is also an area in front of the property that can be moved back to bisect the two lots.

The only issue the commission noted is moving the line lot back if sewer system should arise.

Items for Discussion:

The Pavilion at Furlong \ The Grasso Group

Mr. Colello commented on a recent letter received from the attorneys for the Grasso Group requesting an extension for land development review until June 1, 2013. Upon reading the letter noting their intent to present a formal sketch plan during a February Board of Supervisors meeting, Mr. Colello commented his vote to grant the recent extension is only to cease future requests from the applicant.

Mr. Snyder questioned if the Board of Supervisors notified the applicants that no other extension will be granted. Mr. Colello answered; Township Solicitor; Jeffrey Garton contacted the applicants to notify the June 1st deadline will be the last extension granted unless progress is shown. Ms. Stern Goldstein added it's not the township's decision to grant or not grant an extension that will not be undertrained, it can be denied. Ms. Mason indicated the township solicitor is prepared to deny the plan with noted specifics. Mr. Kelso suggested the township request the applicants to withdraw their proposed plans if it's deemed unacceptable.

Mr. Colello requested to inform the Planning Commission of when the revised land development plan will be presented to the Board of Supervisors. Ms. Mason agreed.

Adjournment: 9:14 p.m.