

**Minutes from the**  
**DOYLESTOWN TOWNSHIP PLANNING COMMISSION**  
**Regular Meeting**  
August 25, 2014

The Doylestown Township Planning Commission Regular Meeting was held at 7:00 p.m., Monday August 25, 2014 in the Doylestown Township Municipal Building, 425 Wells Road, Doylestown, PA. Members of the Planning Commission in attendance included Chairman; Judy Hendrixson, Vice Chairman; Thomas Kelso, Members; George Lowenstein, Edward Redfield and Ed Harvey. Other in attendance included Township Manager; Stephanie J. Mason, Board of Supervisor Liaison; Richard F. Colello and Township Planning Consultant; Ms. Judy Stern Goldstein.

**Review of Minutes:**

In the form of a motion by Mr. Redfield; seconded by Mr. Harvey the July 28, 2014 Doylestown Township Planning Commission Regular meeting minutes were approved.

Motion carried 5 to 0.

**Public\Commission Comments** – None

**Plans for Scheduled for Discussion:** Fitzgibbons Tract – Minor Subdivision

Eric Clase of Gilmore & Associates provided the commission with a brief overview of applicants; Fitzgibbons Tract minor subdivision plan to include, an existing gross line of 4.1 acres with frontage along Watercrest Drive. The existing site has a home and a driveway. An existing retention basin is located along the southern portion of the site. The property is within the R1 Zoning District with a B1 use as a single family detached.

The proposed plan is to subdivide 4.1 acres into two lots with two single family detached homes. The proposed home and driveway will be located on the southern side taken access from the lower portion at Watercrest Drive.

Mr. Clase addressed review letters received individually as...

1) Director of Code Enforcement; Sinclair Salisbury memorandum dated August 19, 2014 – No comments noted.

2) Bucks County Conservation District dated July 21, 2014 – The plan was noted as adequate as designed.

3) Pennoni & Associates dated August 6, 2014

a) Traffic Impact Study is not required

b) Possible site distance problem provided for driveway along Lot 2. Woods maybe required to be removed. Mr. Clase responded; upon placing a site triangle, if trees are in need to be removed the issue will be addressed at the next submission.

4) Michael Baker Jr. Engineering dated July 23, 2014 – Will comply with all comments and noted the following...

a) According to ordinance Section 153.25, a five foot sidewalk is needed to be provided. Mr. Clase responded; a waiver will be requested due to no other sidewalk located along Watercrest Drive.

5) Boucher & James, Inc. dated August 13, 2014 - Will comply with all comments and noted the following...

a) Section 2 \ Area & Dimensional Regulations, Paragraph 2a – noted a shed located on the center of the property. Mr. Clase responded; the shed will be moved within the required setback.

b) Section 4; \ Landscape & Buffer Yard Requirement, Paragraph b; (SLDO Section 153-20.D(18) – Mr. Clase responded; upon visiting the site with a representative from Boucher & James, trees and caliber were counted to determine which will be removed. A waiver will be requested to show all trees, species and size to coordinate with Boucher & James' offices. Ms. Stern Goldstein clarified, all trees were counted and the disturbance calculated based upon time of visit. Other disturbances, such as the relocation of the shed and the replacement calculations for the number of trees will change and plans will need to be modified accordingly. Mr. Clase agreed.

c) Section 4; \ Landscape & Buffer Yard Requirement, Paragraph e; (SLDO Section 153-34.B(5) – Regarding landscaping and reseeding the retention basin. Mr. Clase responded; a waiver will be requested due to the retention basin being stabilized with existing vegetation. It's proposed to remove the invasive species within the retention basin. The landscaper will remove weeds and trees with no additional plantings. Ms. Stern Goldstein clarified; for a waiver request, replacement planting will need to be specified for removed plantings. Mr. Clase answered; the area will be returned to lawn.

Mr. Kelso questioned how the basin is incorporated into the original plan and is there a homeowner's association in place. Also, if there is an easement for the township noted. Mr. Clase answered; there is not a homeowner's association plan and a drainage and piping easement for the township is in place.

Ms. Stern Goldstein questioned for clarification, if replacement planting or weed whacking is proposed for the retention basin. As per the Township Engineer; Mario Canales, all vegetation will be removed from the basin down to grass is preferred. Dry air seed mix will be placed to have the lawn restored to its original design. Mr. Clase then clarified the retention basin will be taken down to soil, then to lawn. Ms. Stern Goldstein strongly suggested to plant with a wet seed mix to naturalize as a wet meadow mix. Mr. Clase agreed.

Mr. Kelso questioned; if the basin is dry with wetlands. Mr. Clase indicated yes with no wetlands onsite as confirmed by a wetland specialist.

d) Section 5 \ Bike and Hike Path – With no sidewalks located on the property, no bike and hike path will be provided.

6) Pickering, Corts & Summerson dated August 8, 2014 - Will comply with all comments and noted the following...

a) Section 2 \ Plans (SALDO Section 153.20.C.(10) – Mr. Clase commented this is a typically waiver item locating all existing features within 400 feet of the site. Since it's a minor subdivision along a neighborhood with one proposed home, the existing features shown are adequate for review. Mr. Clase offered; if there are specific items the Planning Commission would like to review, they can be noted on the plan. Otherwise

a waiver will be requested. Mr. Kelso suggested the driveways be shown across the street. Mr. Clase agreed. Mr. Kelso questioned; if the Health Department visited the site to view the adjoining wells septic systems. Mr. Clase clarified the process has been completed only onsite and not the neighbor's properties. Mr. Kelso then suggested the wells be located within 400 feet of the property. Mr. Clase agreed.

Mr. Kelso questioned if the flow of the storm water can be explained. Mr. Clase explained; the entire site drains from the existing driveway to the retention basin as a sheet flow with some flow toward the streets draining into the existing inlets. The flow is then piped down into the basin. 100% of the drainage is in the basin with some into the streets, then into the inlets and back into the streets. Mr. Clase then reference Mr. Canales' comments of no action would be taken with the basin, where water quality is preferred. To comply, stone will be placed to meet the water quality requirement.

b) Section 5 \ (SALDO Section 153.29.C) – The existing shed will be removed to comply with the required setback.

7) Bucks County Planning Commission dated July 24, 2014 – Upon reviewing the BCPC review letter, Mr. Clase commented...

a) Side yard on Lot 1 will be shelved until the next submission.

b) Clear site triangles will be shelved until the next submission.

Mr. Kelso questioned if all utilities are underground. Mr. Clase answered; visually, yes the utilities are underground.

On behalf of the applicants; Mr. Clase requested the following waivers...

1) Section 152-20.C(10) – the septic system will be shown as wells within 100 feet and adjacent driveways located across the street will be shown.

2) Section 153-20.C(11) – upon a site visit with Boucher & James, Inc., all on site trees were documented and which trees to be removed recorded. Calculations will be provided updating with any changes.

3) Section 153-25 – There are no existing sidewalks along Water Crest Drive.

4) Section 153-20.C(15) & 153.44.1 – With the existing retention basin, no infiltration testing is required and limited for improvements.

5) Section 153-34.B.(5) – Will comply by applying a seed mixture. A partial waiver will be requested because landscaping will not be provided as part of the basin. The seed mixture will only be applied at the bottom of the basin. Ms. Stern Goldstein clarified at count will be needed as per the requirement. Documentations will be needed to meet requirements. Mr. Clase agreed to remove the waiver request.

Public Comment:

Marikay Forst of 145 Watercrest Drive questioned if infiltration testing should be completed due to issue with the water table and flooding. Patrick Forst added; currently the water from the property does not enter the retention basin. The flow travels across the street into a drain that feeds into a stream. Mr. Clase answered; the outlet structure was designed to have the water flow onto the Forst's property. He further explained, a typical end outlet structure is a square box that is inside a retention basin. The structure has a V design inside with an opening. When the water begins to fill the retention basin, it will enter into the V design then flows down into a pipe. For this location, when the water fills, it flows into the inlet structure, into a pipe, then onto the Forst's property. Gilmore & Associates could not determine where the flow ends on the Forst's property. Mr. Forst answered; the water ends 2/3 down from his property. He then disagreed; by stating the water never reaches the V design in the basin. Instead, it builds up inside the structure. Mr. Clase clarified; the water is supposed to build up before releasing. Mr. Clase then offered to meet onsite with Township Engineer; Mario Canales to review the outlet structure. He further explained; if there is a ground water problem, an infiltration system will go back into the ground and possibly flood basements.

John Ochsenreither of 137 Watercrest Drive commented on his concerned the additional imperious proposed will increase the chances of additional flooding. Mr. Lowenstein questioned; if there is some tunnel or other access where water flows directly across the street. Will this mean the water never flows into the basin and is infiltrated into the ground. Mr. Clase answered; it is possible the water is somehow going underground and crossing into the Forst's property. The best way to provide the best answer is to conduct a site visit with Mr. Canales. Ms. Stern Goldstein suggested Mr. Clase coordinates the visit with Mr. and Mrs. Forst by receiving their contact information, so they may be present during the site visit. Mr. Clase agreed. Ms. Stern Goldstein questioned if the inlet flows into the basements. Mr. Clase answered; the water does flow onto the properties. Through Gilmore & Associates designed the structure and calculations were provided by the original subdivision. All were approved by the Township Engineer, who confirmed the basin works properly. If there is a problem where the water is not entering the basin, it will be addressed. Upon questioning the neighbors, Mr. Lowenstein commented there also may be a blockage.

Chris Weeder of 129 Watercrest Drive commented he appreciates the overgrown area along the retention basin and questioned if there is option to keep the area as is. Mr. Kelso answered; the functioning of the basin is a concern. With overgrown vegetation, outlets can clog. Mr. Clase added; the basin is currently oversized, where a problem is obvious that water is not entering due to the overgrowth. Ms. Stern Goldstein added; with the wet meadow seed mix, will become more naturalistic. Mr. Weeder explained; he is more concerned with the removal of trees. Ms. Stern Goldstein answered; the applicants are requesting the trees be removed and confirmed by the Township Engineer due to storm water management to maintain the basin. Mr. Clase added; the basin wasn't designed to have any vegetation and trees do take away from the intention of the basin. However, trees will remain along the berm above the basin.

Janet Parisi of 134 Watercrest Drive questioned the water history of the basin and if the township maintains on a regular basis. Mr. Clase answered; the original land development plans on file from the 1980s show a significant difference in regulations from the present. The current regulations have strict water quality and volume requirements. The purpose of cleaning out the basin is to meet the requirements. Originally, the lot owner had the responsibility to maintain the basin. Upon neighbors request, the owner stopped maintenance. Also, upon initial construction, a township inspector conducted inspections. However, they are not required to continue with inspections after a certain time. Mr. Lowenstein added; after a certain point inspections do not continue unless a complaint is issued.

Ms. Parisi then questioned the placement of the driveway. With the currently issues of speeding, she is concerned a second driveway may add to the danger. Mr. Clase explained the proposed driveway will be located on the southern portion of the site and off the building setback line. Mr. Lowenstein responded; he sees no improvement if the driveway was relocated to the upper portion of the site, where the two existing driveways are still be present. He then questioned how moving the driveway will improve the speeding issue. Mr. Parisi answered; she is concerned with the driveways being close to one another and may cause a hazard entering the leaving. Mr. Kelso explained; one the requirements of the subdivision land development is to provide a clear site triangle. This will enable a motorist to see oncoming cars before entering or exiting a driveway. As per a comment noted in the review letters, the applicants are required to address the issue where additional clearing is needed. Mr. Clase noted due to the low traffic volume there is a low concern. He then stated other driveways along the community show more of a site hazard than the applicant's. Ms. Stern Goldstein clarified; township regulations for site triangles will need to be met by the applicants. Mr. Clase responded; the driveway is placed the furthest from the site as possible. Mr. Clase then agreed to show Ms. Parisi's driveway on the next plan submission.

Ms. Keller of 105 Watercrest Drive questioned the water runoff along her driveway, which is below street grade. She is also concerned of possible additional flooding once the proposed driveway is constructed. Upon questioning Ms. Keller, Mr. Clase reiterated the water flow may be caused by a drainage problem and can provide a better answer once a site visit is completed. Mr. Kelso questioned if draining will flow directly into the basin. Mr. Clase answered; a home and a driveway is proposed, where drainage is directly into the basin. Only a small portion of the driveway will drain into the street, because it ties in. The leaders will run into the swales behind the home into the basin.

John Ochsenreither of 137 Watercrest Drive questioned how much of the vegetation will be removed from the basin. Mr. Clase referred to the plans and noted all vegetation and trees located inside the basin will be removed. Mr. Ochsenreither then questioned how high. Mr. Clase explained; any vegetation inside and on the sides of the basin will be removed. Mr. Clase agreed to schedule a meeting with the Township Engineer to discuss options, such as only clearing the weeds. Ms. Stern Goldstein requested to attend the meeting. Mr. Kelso questioned with township requirements, how can the clearing of the basin be changed in terms of long term maintenance. Mr. Clase answered; the responsibility will be of the owner; Mr. and Mrs. Fitzgibbons. Ms. Mason noted a storm water agreement with maintenance details is included with the packet. Mr. Kelso commented an important factor is a functioning basin for downstream property owners and glad to see a fresh approach is considered.

Gary Parisi of 134 Watercrest Drive questioned the exact location of the proposed driveway. Applicant; Geoffrey Fitzgibbons answered; he is not opposed to moving the location of the driveway. However, the proposed location is the safest area due to the existing curve. As a 24 year resident, he has never had an issue where his home is located at the corner of the community. Mr. Clase added the driveway was placed at the furthest point possible.

Robert Walton of 102 Watercrest Drive questioned if no parking signs can be placed. Ms. Mason noted as a public street all vehicles, including commercial are allowed to park along the community. She offered to have the Township's police department and/or Traffic Advisory Committee review the issue.

Erica of 137 Watercrest Drive questioned what home buyer is interested in purchasing a lot along a water basin and how will the proposed subdivision effect property value. Ms. Hendrixson clarified; the basin is not wet with no standing water, like a pond. Mr. Fitzgibbons responded; upon a massive heart attack suffered in February of 2014, his goal is to build a master bedroom on the ground floor to provide less stress to his heart. The plans are tastefully

completed, where he will be in the area for a long period of time and no plans of selling. The heavily wooded lot with no disturbance proposed is to relieve the stress of maintaining the grass. Once the plans are completed, it will keep within the style of other homes along the community and should relieve any issues. It will also improve the current amount of woods. Erica then commented on her disagreement with the plans and concerns with trees planted near her driveway. Mr. Clase responded; the applicants are required to plant trees as part of tree replacement. He then offered to plant the trees along the property line as per the township's ordinance and upon Ms. Stern Goldstein's approval. Ms. Stern Goldstein added; per the number of replacement trees required, once calculations are completed evergreens maybe 2 to 1.

Ms. Hendrixson concluded by reporting the next steps for plan approval will be a site walk through.

John Ochsenreither of 137 Watercrest Drive questioned if there is a guarantee that wells will not affect the water table. Mr. Clase noted a ground water problem may be an issue and doubts a problem will exist with the wells. Upon receiving a building permit, a well will be constructed. The township will receive the application and conduct testing. Digging was completed for a sand mound, where it perked and was contracted to another firm.

The commission agreed by consensus to table applicants; Fitzgibbons Tract.

#### Items for Discussion

##### Storage Partners:

Upon discussions, the commission agreed to schedule the Storage Partners walk through meeting on Thursday, September 4, 2014 at 4:30pm.

##### Wireless Community:

Ms. Mason reported the Board scheduled a public meeting on Tuesday, September 30, 2014 at 4:00pm and the ordinance has been advertised.

Mr. Lowenstein commented the ordinance continue to show major issues which were not treated.

Ms. Stern Goldstein reviewed changes made to the ordinance that include, the word "stealth" changed to "camouflage". Mr. Kelso disagreed with the word camouflage and questioned if the word can be defined. Ms. Stern Goldstein indicated the word could be defined and noted on several other township's ordinances. Other changes included, reference to aesthetics were removed. She recently met with the Township Solicitor regarding concerns on how aesthetics are defined and agreed it cannot be done. Mr. Kelso disagreed explaining aesthetics are far reaching and doesn't work with limited options for small poles. The best options would be street lights.

Ms. Stern Goldstein continued to review changes with security and bond and abandonment, where no actions can continue with regards to wires under zoning. Mr. Kelso questioned when a wireless pole is on site with more than one use, there are two situations outside of the right of way, where it's a single use lot. The second use is on site with additional use with both uses are covered. However, he is uncertain on the definition and if the ordinance references the entire site or the area the tower is standing on site. (Page 9, Item E).

A discussion ensued amongst the commission and Ms. Stern Goldstein regarding the lot and uses for the wireless cell tower as noted on the ordinance, when one of multiple uses on a lot, the area for the cell tower has to meet the use requirement for that district in addition to all other uses on the property.

Referencing a recent news article, Ms. Mason added; a section within 200 feet of the lot will be required or a variance will be needed. Ms. Stern Goldstein reported; most applications have been denied.

Upon Ms. Hendrixson question regarding the next move of the commission, Ms. Mason reported the next Planning Commission meeting is scheduled for September 22, 2014 and the Board of Supervisors are conducting a special meeting on September 30, 2014 for the wireless ordinance. A recommendation can be tabled and submitted at their September 22<sup>nd</sup> meeting. Ms. Stern Goldstein offered to answer any questions via email.

Mr. Lowenstein questioned; why is noise noted in the ordinance differently, including as an exception with an emergency generator. He commented there is a redundancy noted in many of the ordinances, where it may become difficult to locate definitions. Ms. Stern Goldstein agreed definitions for noise appear in multiple places. However, the definitions are all under the F4 District where other definitions are located under general. In trying to fit all the proposed new regulations into the ordinance structure for tower and non-tower based, the difference is split into two types of uses with each having two options under it. The only way to proceed is to have some of the regulations, which were similar repeated. In many cases, they are different for tower and non-tower.

**Adjournment:** The August 25, 2014 Doylestown Township Planning Commission Regular meeting was adjourned at 8:40pm