

Minutes from the
DOYLESTOWN TOWNSHIP PLANNING COMMISSION
Regular Meeting
August 26, 2013

The Doylestown Township Planning Commission Regular Meeting was held at 7:00 p.m., Monday, August 26, 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 members Thomas Kelso and George Lowenstein. Other in attendance included Township Manager; Stephanie J. Mason and Board of Supervisor Liaison; Richard F. Colello.

Absent: Edward Redfield and Township Planning Consultant; Ms. Judy Stern Goldstein

Review of Minutes:

In the form of a motion by Mr. Lowenstein; seconded by Mr. Snyder the July 22, 2013 Doylestown Township Planning Commission Regular meeting minutes were approved.

Motion carried 4 to 0.

Public\Commission Comments:

Ms. Hendrixson requested Mr. Kelso's assistance in reviewing options for revising the imperious surface requirements for new products that may cause the township to update their codes. Mr. Kelso suggested speaking with Township Engineer; Mario Canales for better assistance. Ms. Mason offered to contact Mr. Canales.

Ms. Hendrixson then questioned the status on a scheduled workshop session with Bucks County Planning Commission Executive Director; Linda Bush. Ms. Mason reported Ms. Bush recently met with Doylestown Borough and Buckingham and requested a meeting be scheduled in September.

Upon a recent meeting with Edison Quarry owner; Joseph Buccarelli regarding a corridor study, Mr. Kelso indicated Mr. Buccarelli showed interested in pursuing to improve the area. He then reported this may be a funding opportunity for the township to extend the bike path towards the village. Ms. Mason offered to arrange a meeting between the Planning Commission and owners of the Edison Quarry. Mr. Kelso suggested it'd be more beneficial to schedule a meeting in the future, if the opportunity presents itself.

RKD Builders – Final Rural Residence Development

Attorney; John VanLuvanee requested the commission recommend a final land subdivision for applicants; RKD Builders. Mr. VanLuvanee began his presentation by providing copies of an outline of the zoning map describing the proposed subdivision development plan. The 10 acre subdivision was originally designed in 1985. Lots 2, 3 and 4, which are owned by Joseph Fluger has a restriction on the subdivision for no further subdivision. The second plan shows some lots are no longer 10 acres. Lot 1, was divided into two lots along the frontage with another lot in the back. The plan now shows a total of five 10 acre lots, two 1 acre lots. A sewer line was also be installed, where each of the property owners received available connections.

As few years ago, at the suggestion of Mr. VanLuvanee Mr. Fluger asked the neighboring residents to assist in the enforcing of the subdivision restriction through the township. Mr. VanLuvanee then provided a signed preliminary agreement of all owners indicating their support in removing the no further subdivision. The ultimate plan is owners of Lot 2, 3 and 4 get together and build a street in the middle of their three lanes. Before the engineering can begin, a meeting with the township was scheduled to discuss the restriction. Upon meeting, township staff recommended the applicants meet with the Planning Commission before presenting the plan to the Board of Supervisors.

Ms. Hendrixson questioned where the street would be located. Mr. VanLuvanee indicated the street will have to be located along the center of lots 2, 3 and 4 as a cul-de-sac. Mr. VanLuvanee continued as per Township Planning Consultant; Ms. Judy Stern Goldstein, some issues will arise without knowing if the restriction can or cannot be waived. He then read minutes of the Planning Commission December 22, 1986 meeting minutes, noting the commission's displeased with the layout of the lots and the property would be better served as a cul-du-sac, which will not require restriction be placed on property owners for future subdivision of 10 acres lots.

Mr. Lowenstein then questioned Ms. Mason on a previous court case regarding a similar request. Ms. Mason reported in the later 1980s early 1990s a court case regarding 10 acres lots off Willow Brook, where the township won. Although it was not listed in the deed when they purchased the homes, there was a restriction on the land development plans. Mr. VanLuvanee agreed and had the same opinion of the law where if a restriction is recorded, it should apply unless everyone who has the right to enforce can waive it.

Ms. Hendrixson questioned if all properties tie into the sewer system and if there is sitting water. Mr. VanLuvanee answered only one home is connected, but all properties are accessible. Ms. Mason added as a background, during the 1990s when Doylestown Knoll and Crossing where being built the Doylestown Township Municipal Authority (DTMA) still owned the sewer plant, where a Castle Valley Interceptor line to the Kings Plaza Plant was needed., easements were needed along properties, which about the Neshaminy Creek. The residents along Almshouse Road provided the easements to the DTMA which was transferred to the BCWSA. Since then some have expired.

Ms. Hendrixson then questioned if public water is available or does the properties have wells. Ms. Mason answered the area are served with wells, but public water is available.

Mr. Colello questioned how many of the six properties are connected to the sewer line. Mr. VanLuvanee answered currently only Lot 3 is connected. He then questioned if a total of eight homes will be connected to public sewer once the subdivision is completed. Mr. VanLuvanee answered probably all new homes will be connected due to Health Department's permit requirements.

Mr. Kelso requested verification if only one property owner received approval to condition their acceptance for other homeowners. Mr. VanLuvanee indicated support was received from everyone connected to the site. Mr. Kelso then requested an aerial of the subdivision to show where the existing homes are situated. Mr. VanLuvanee agreed to submit an aerial of the site. Mr. Kelso then questioned if the residents along the subdivided lot also support the conditioned acceptance. Mr. VanLuvanee indicated the residents have also signed the preliminary agreement and the restriction is only placed on lots 2, 3 and 4. Ms. Mason questioned if lots 1, 5 and 6 can be subdivided. Mr. VanLuvanee answered lots 1, 5 and 6 have no restrictions recorded.

Ms. Mason questioned if site calculations were determined to distinguish flood plains. Mr. VanLuvanee answered, calculations are still needed to be completed. Mr. Kelso suggested a sketch plan be designed to show the homes located under the flood plain. Mr. VanLuvanee stated the applicants would be happy to design a sketch plan as long as the commission is not denying the proposed subdivision. Ms. Mason suggested including a site capacity calculations to ensure there are no nature features. She added, a google aerial map showing where the homes are located with lines drawn indicating the site calculations will be accepted.

Mr. VanLuvanee agreed on behalf of the applicant; RKD Builders to return with a preliminary sketch plan showing properties under the flood plain and site calculations.

Street Hierarchy Proposed Ordinance

Upon reviewing the revised Amendment to the Subdivision Land Development Ordinance.

- 1) Page 8 – On the chart of the SALDO, add an “X” to the Route 202 Parkway section under bike lanes.
- 2) Zoning Modification; Section 1 \ Article §175-16.E(6)(a) – add Community Collectors or prior to the Arterial Streets use be listed as direct access.
- 3) Zoning Modification; Section 3 \ Article §175-16.E(8)(a) - add Community Collectors or prior to the Arterial Streets use be listed as direct access.

Mr. Kelso requested the Street Hierarchy ordinance include pedestrian facility as a new definition to assist with studies needed in a number of cases.

In the form of a motion by Mr. Kelso; seconded by Mr. Lowenstein the Doylestown Township Planning Commission recommends the Doylestown Township Board of Supervisors approve advertisement of the draft Amendment to the Subdivision Land Development Ordinance and Zoning Ordinance related to the Street Hierarchy as presented but modified as noted above by Mr. Lowenstein and Mr. Kelso to mandate the installation of all bicycle and pedestrian facilities be constructed prior to occupancy of the first structure.

Motioned carried 4 to 0.

Mr. Lowenstein questioned if the resolution for modifying the comprehensive plan was updated to show the name change. Ms. Mason noted the last update was in 2008 and the date on the most recent memo from Judy Stern Goldstein was dated December 16, 2011. Ms. Mason ensured all records will be updated to coincide with Ms. Stern Goldstein’s memo as a resolution and forward to all municipalities.

Mr. Kelso commented the Street Hierarchy Ordinance designed by Mr. Lowenstein is a valuable addition and suggested asking Township Solicitor; Jeffrey P. Garton if a map should be attached. Ms. Mason indicated the existing street hierarchy map is included as part of the comprehensive plan. With this change, it will have to be updated. Mr. Kelso added the advantage to having the map included as part of the comprehensive plan is once a change is requested; only a resolution is needed. Also, it will be available to neighboring municipalities to view.

Adjournment: 7:55 p.m.