

**Minutes from the
DOYLESTOWN TOWNSHIP PLANNING COMMISSION
Regular Meeting
September 22, 2014**

The Doylestown Township Planning Commission Regular Meeting was held at 7:00 p.m., Monday September 22, 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; Ed Harvey. Other in attendance included Township Manager; Stephanie J. Mason, Board of Supervisor Liaison; Richard F. Colello.

Absent: Members; George Lowenstein and Edward Redfield and Township Planning Consultant; Judy Stern Goldstein. In Ms. Stern Goldstein's absence, Ms. Karen Morgan Mallo was present.

Review of Minutes:

In the form of a motion by Mr. Harvey seconded by Mr. Kelso the August 25, 2014 Doylestown Township Planning Commission Regular meeting minutes were approved.

Motion carried 3 to 0.

Public\Commission Comments – None

Plans for Scheduled for Discussion: Storage Partners **Removed from the Agenda as per the request from applicants

Mr. Kelso suggested to forward recommendations noted below to applicants; Storage Partners. He also recommends the applicants meet with the Planning Commission again, prior to presenting their plans at the Zoning Hearing Board.

A) Applicants should have the ability to meet reasonable grades on their driveway leading into the site

B) Applicants need to look at the street scape on how the building presents itself to a street.

C) Need to continue the design standards that the township set, such as improvements to Bridgepoint Park with Belgian block curbing that will carry through frontage of the property. It's important because it will involve grading.

D) Need for a focused traffic circulation study to look at the intersection and the function of Edison Road for opportunities. However, there is no need for traffic counts.

E) Move utilities underground to be continued into the main core of the village to improve aesthetics and safety.

F) Interface with the property with quarry. Fencing is needed for safety.

G) As a reminder, the access road showed in the latest village study, prepared by Pennoni & Associates on the plans and graded in.

Mr. Colello added; the imperious surface issue with regards to the road located behind the building should be addressed.

Ms. Mason noted she will share information with Gilmore & Associates' engineer; Eric Clase. Mr. Kelso then suggested to also share the commission's positive feedback indicating the plans display a good use, its low impact and will benefit the neighborhood.

Wireless Communications – Proposed Ordinance \ Continued Discussion:

Ms. Mason reported the ordinance to be reviewed is under the Zoning Ordinance portion. The Board of Supervisors approved the Right of Way Ordinance portion at their September 16, 2014 regular meeting. The Board will also hold a special meeting regarding the proposed wireless communications ordinance on Tuesday, September 30, 2014 at 4:00pm.

While referencing the Wireless Communications Facilities chart included with the commission's packet, Ms. Morgan Mallo explained; the overall ordinance regulations are very similar to what currently exists in the Zoning Ordinance today. All typical township regulations for zoning were slightly edited and placed into the overall wireless communications ordinance as noted in Section §175-16.F(4). Two notable amendments are new definitions titled; Tower and Non-Tower. The Non-Tower description can be clarified as only an antenna. Tower based description can be clarified as anything placed on a tower, such as a building, tower or pole. Non-Tower is anything placed on a building collocated and doesn't have a structure built for it.

Tower based can be broken down into outside or inside the right of way. Mr. Kelso requested clarification whether definitions described for the right of way located on a collocation, such as a PECO pole or utility pole are considered tower based. Ms. Morgan Mallo agreed. Mr. Harvey questioned what is a definition of a pole and if there is a height requirement. Ms. Morgan Mallo answered; tower based in a right of way has a 35 feet height requirement and includes all subsequent additions and alterations. However, poles under 35 feet are still considered tower based if a utility pole is built. A new pole cannot be constructed and matched over 35 feet. Additionally, if the device is attached to an existing pole, then its considered non-tower based. Ms. Mason questioned what the definition is if utility poles are added to a new area. Ms. Morgan Mallo responded it will be considered tower based. Ms. Mason then questioned; what is the definition if electric lines are ran, but an antenna is not attached until a year later. Ms. Morgan Mallo indicated the antennas will need to be mounted within 35 feet onto an existing pole to be considered tower based. However, it some cases may be regulated under the right of way ordinance.

Non-tower has a new collocation law which requires to meet five criterions where a Planning Commission or Board of Supervisors meeting is not required. Only an expedited application process through the township is required for a permit.

The five criterion are listed under Sections §175-16.F(4)(e)(1) and §175-16.F(4)(e)(2) and will come into play, such with the example as AT&T built the tower and T-Mobile then requests to place an antenna on top. When they were approved, an additional array was shown on the plans, but an installation was never completed. T-Mobile can receive approval to place extra panels with an expedited application for a permit.

The five criterion which fall within the expedited application process for a permit through a township are listed as...

- 1) The townships can only charge up to \$1,000
- 2) the utility pole has to show as wind barring
- 3) The height cannot exceed 10%
- 4) The modification to the equipment compound does not increase
- 5) Follows all the conditions of the original approval.

Ms. Morgan Mallo explained the lengthiness of the ordinance is for the ease of an applicant to read by section and not search through the entire ordinance.

Mr. Kelso questioned based upon the Board of Supervisors discussion, words such as "significant" will not be defined. Ms. Morgan Mallo answered; any reference to aesthetics were removed. Ms. Mason added; the word "camouflage" remained, which is from the new collocation law.

Resident; Joseph O'Malley of 138 Rogers Road questioned if the proposed construction developed by the Grasso Group will have a tower included in their plans. If so, how will it fit within the regulations? Ms. Mason answered; as per the last sketch plans submitted, a cell phone tower was not shown. However, previous plans had proposed a tower. If the Grasso Group's revised plans to propose a cell tower, it will be considered tower based as outside the right of way along private property.

Mr. O'Malley then requested clarification on the word camouflage. Ms. Mason clarified the utility poles will need to blend in with the environment by either making the poles look like trees, flag poles, church steeple or barn silo. Ms. Mallo Morgan added; with new technology, devices are smaller unless there is a large area with limited coverage. This is the main reason for the non-tower section of the ordinance, which provide less impact.

Ms. Mason indicated it is possible for the Grasso Group or another developer to return and request a wireless communication device be installed.

Upon a discussion outlining several situations where a wireless communication may be approved, Ms. Mason indicated an ordinance will be in place and regulations set should an application be received for a new device? Ms. Hendrixson requested a meeting with Verizon be scheduled regarding future plans. Ms. Mason offered to contact Governmental Liaison at Verizon; Mr. Daniel J. Reavey. The commission agreed.

In the form of a motion by Tom Kelso; seconded by Mr. Harvey the Doylestown Township Planning Commission recommends the Doylestown Township Board of Supervisors approve revisions to the township Zoning Ordinance regarding the Wireless Communication Facilities as presented by Boucher & James, Inc. Planner; Karen Morgan Mallo.

Motion Carried 3 to 0.

Continued Discussion; 90 Day Clock \ Fitzgibbons Tract

Ms. Mason reported applicants for the Fitzgibbons Tract may be scheduled to return possibly in October, but most likely in November. An onsite walk through was completed regarding the basin issue and answers to resident's questions with positive results. Ms. Judy Stern Goldstein and Mr. Canales were also present to address planting issues and identified invasive species to be removed along the basin.

Resident; Mr. O'Malley questioned since the Grasso Group has not submitted a recent plan, why are topics regarding fencing and bike and hike path are being discussed prior to pending issues, such as with traffic and water retention. Mr. Kelso answered; the bike and hike path was part of the sketch plan where all topics were discussed. Mr. O'Malley then questioned why were the Grasso Group allowed to present their views to the Board of Supervisors prior to receiving a recommendation from the Planning Commission. Mr. Kelso responded; the Grasso Group is receiving the same treatment as with any other developer. Ms. Mason added; the Grasso Group are trying to receive feedback on their sketch plans, where positive responses were received from neighbors who appreciated the buildings being moved back from Old Nursery Road. Also, upon another request for city water and sewer, a connection was supplied. Mr. Kelso indicated it will be the township's advantage to review a sketch plan first. It saves money and a battle to change a plan once engineered.

A discussion ensued amongst the commission and Ms. Mason explaining procedures of the land development plan approval process with pending developers.

Continued Discussion; Meeting with New Britain Township – Date Needed

As per Steve Barth's request Mr. Kelso and Mr. Harvey agreed to meet on Thursday, October 2, 2014 from 5:00pm to 7:00pm. Ms. Hendrixson is *may be* unable to attend.

Adjournment: The September 22, 2014 Doylestown Township Planning Commission Regular meeting was adjourned at 7:42 pm.