

**DOYLESTOWN TOWNSHIP PLANNING COMMISSION**

**Regular Meeting**

**Monday, June 27, 2022 at 7 PM**

**Community Meeting Room, 425 Wells Road**

**Meeting Minutes**

The Doylestown Township Planning Commission Regular Meeting was held at 7:00 pm on Monday, June 27, 2022. Members of the Doylestown Township Planning Commission in attendance included Judy Hendrixson, Chairman; members Tom Kelso, Ted Feldstein, and Jill Macauley. Others in attendance included Stephanie Mason, Township Manager; Stacy Crandell, Assistant Township Manager, Judy Stern Goldstein, Planning Consultant (via Zoom), Jen Herring, Board of Supervisors Liaison, and Sinclair Salisbury, Director of Code Enforcement.

The meeting officially began at 7:00 pm.

**Review of Minutes**

On motion of Mr. Kelso and seconded by Mr. Feldstein, the March 28, 2022 minutes were unanimously approved.

**Public/Commission Comments/Presentations**

None.

**Bucks County Proposed Model Alternative Energy Ordinance**

Ms. Hendrixson introduced Jim Baldassarre from the Township's Environmental Advisory Council.

Mr. Baldassarre summarized some of the main points of the alternative energy ordinance and expressed the EAC's support, as they see it as being very comprehensive. He believes that the hope of the County is that with adoption by enough municipalities it will become standard.

Ms. Hendrixson asked if anyone had any additional comments.

Mr. Kelso noted that the ordinance labels alternative and/or emerging energy systems as an accessory use, and he disagreed with this, expecting that it may require applicants to go to the Zoning Hearing Board for approval, which can be prohibitive.

Ms. Mason clarified that the current ordinance lists these options as secondary but not accessory. She further added that the current Green Points ordinance in the Township has unfortunately, not offered much incentive, with about 4 applicants over the past 4 to 5 years.

Ms. Goldstein added that some applicants are simply not applying for Green Points because of the cost/incentive imbalance, however, may still be using alternative practices.

Ms. Hendrixson said that the County ordinance seems to be more for a solar farm or wind structure in addition to a building, which could be part of the problem, because it shouldn't be a zoning issue.

Ms. Goldstein explained that the County wrote it to be a standalone ordinance, which could result in needing amendments to the Township's SALDO or Zoning Ordinances, should it be adopted.

Mr. Kelso suggested that some parts of the ordinance, for example, setback requirements which provide a range, don't make sense.

Ms. Goldstein clarified that the Township would be able to decide what is appropriate based on the guidelines given by the County.

Mr. Kelso said that this ordinance would require a lot in order to make it usable and enforceable.

Ms. Mason added that a full analysis of the impact would be needed.

Ms. Hendrixson suggested that rather than adopt the ordinance as it stands, it may be better to use it as a guideline or reference material. While there is no opposition to it, it is unlikely the Township will rewrite all of its ordinances.

Ms. Goldstein added that as a standalone ordinance, the County does not expect municipalities to rewrite their zoning. The Township should ensure that there are no contradictions.

Mr. Baldassarre said that the EAC had not specifically gone through the Township's current ordinance, but he does understand the criticisms and appreciates the Planning Commission's consideration.

Mr. Kelso further added that a blanket prohibition on geothermal systems may be short sighted, as they can make perfect sense on the right property.

Ms. Hendrixson summarized that there may be some better ideas and incentives out there, and the Planning Commission will continue looking into this.

### **Plans Scheduled for Discussion**

#### **Doylestown Country Club – Land Development Plan**

Dan Humes from VanCleaf Engineering and Andrew Stoll, attorney, spoke on behalf of Doylestown Country Club. Mr. Stoll explained that they see this as a very light project in terms of land development. They propose a two-story addition to the existing building, and a reconfiguration of the existing parking lot, meant to make it more functional. Mr. Stoll added that the parking lot is very old and presents existing non-conforming conditions.

Mr. Humes said they are looking for a recommendation for preliminary/final land development approval. He presented renderings and plans showing the proposed building expansion and parking configuration. Building plans are currently under development.

Mr. Humes presented the concept for the parking lot which currently has grading issues and poor drainage functions. The new plan would provide ADA spaces closer to the building, better flow through the site, and approximately 60 additional parking spaces. Relief would be needed from the 10x20 space zoning requirement, which is an existing non-conformity. In addition, the proposed plan is to remove the 30-foot-high utility pole lighting and replace it with 12-foot-high lantern lighting. Lastly, Mr. Humes explained that the stormwater plan includes an underwater stone and pipe infiltration bed, which offers positive infiltration rates, with the addition of a new stormwater conveyance system to get water to the facility, and releases to an existing conveyance system out to the nearby creek. There would also be minimal disturbance behind the building to expand the cart pathway.

Mr. Kelso asked for a further explanation of the lighting.

Ms. Mason asked if the lighting would be shielded down, as per Township code.

Mr. Salisbury added that it was established during plan review that they have to the full shielded downturn lighting.

Mr. Humes clarified that the lighting should be, and it will be added to the plan.

Ms. Hendrixson asked if there might be any green spaces added to the parking lot.

Mr. Stoll responded that the lack of planting strips is a current non-conformity, and would remain, in addition to the non-conforming 9x18 parking spaces.

Ms. Mason added that the applicant had been to the Zoning Hearing Board in the past and may need to go back and double check that those conditions are on the plans.

Mr. Stoll offered that some of the review letters received suggested that a variance may be needed, while others said it was an existing non-conformity.

Ms. Hendrixson asked about the possibility of a solar canopy, to provide some shade and more efficient lighting. She added that the Planning Commission is trying to break up those large asphalt areas.

Mr. Humes said this was considered, however, it was not included due to cost. He added that regarding green and open space, as the property is a golf course, it is primarily green. In addition, the stormwater system would send water back through ground, so there is a thermal reduction before it gets to waterways. There is a bit of a trade off with green space.

Mr. Stoll explained that they are very constrained because of the neighboring properties, and they really just want to reconfigure what is there. The existing non-conformities are very important for the design as it is.

Ms. Hendrixson asked about the number of parking spaces needed.

Mr. Humes said that the existing zoning requires 148 spaces. With the building expansion it would still comply at 193, as 206 exist today. However, with significant events at the property, additional spaces are needed.

Mr. Stoll added that there are no areas around the property for spillover parking either.

Ms. Hendrixson asked if any of the additional parking could be turf parking.

Ms. Herring asked if EV chargers had been considered in the parking lot.

Mr. Humes said that they are not included in the current application but that the club is looking into it. They could easily add charging stations with the new lighting.

Mr. Stoll explained that they are requesting some waivers from SLADO as well. Most of the waivers are regarding the surveying of the property. However, waivers were not submitted as part of their application.

Mr. Kelso suggested that the applicant may need to go to Zoning Hearing Board, and for the Planning Commission to recommend the application prior may be a waste of time.

Mr. Stoll respectfully asked that the Planning Commission to still make recommendations.

Ms. Hendrixson said this is not typical. She suggested the applicant go to Zoning Hearing Board first and then submit their list of waivers from SLADO to staff, and the Planning Commission can go through it prior to meeting again.

Mr. Humes added that they have met with Township professional staff and received some favorable feedback, in particular regarding the bike and hike path along Green Street.

Ms. Hendrixson said they had not seen this at Bike and Hike and asked that they go to the different committees and get each one's blessing. She suggested the applicant come back next month.

Mr. Kelso made a motion to table the recommendation, Mr. Feldstein seconded. Motion carried 4-0.

### **Sketch Plans Scheduled for Discussion**

#### **Ferry Road Development / County Builders**

Ed Murphy, John Kennedy, and Kevin Reilly were present on behalf of the builder, as well as Mike Meister of County Builders, to discuss the latest sketch plan for the property at 33 Neill Drive.

Mr. Murphy explained that the property is zoned C4 and that some of the by right uses, including an office building, could present significant amounts of traffic. They are now discussing an alternative residential use.

Mr. Kennedy explained that this property is at the northern most edge of the Township and abuts commercial properties in both New Britain and Plumstead Townships. After considering some other proposals, they have come up with a unique option of active adult housing with more elderly residents in mind, but not an age restricted development. It would provide a quieter lifestyle option offering 32 total flat units within two-story buildings. Each unit would also have detached accessory garages, separate from the required parking. There would be elevator access to the second floor as well. The sketch plan includes an entry off Neill Drive and an emergency connection off 313. There would be no connection off Ferry Road.

Ms. Hendrixson asked for a description of age targeted.

Mr. Kennedy said it is designed toward seniors and pre-seniors. While children are still allowed in the development, it would not be designed with children in mind, i.e., no play areas would be included.

Barbara Sands of 150 Tedwill Road asked how many units there would be.

Mr. Kennedy replied that there would be 32 units among two buildings, one with 12 units, six on bottom and six on top, and one building of 8, 4 on bottom and 4 on top. They would be 1500 to 2000 sq ft. each with a max of two bedrooms. There would be an approximately \$450-\$500k price tag.

Ms. Sands asked about the flooding issue in the area.

Mr. Kennedy replied that this would be handled in the Land Development process and that modern stormwater controls would be added that do not currently exist at the site at all. He added that the builder would go out of its way to contact the neighbors regarding these issues.

Ms. Sands then asked if the plan were approved when construction would start?

Mr. Kennedy suggested that they are not at the point yet, but with approval they are well over a year out. This is a new use that would need to be added to C4 zoning and that would take some time as well.

Ms. Sands asked if they would be performing a traffic study.

Mr. Kennedy replied that yes, this would have to be done.

Ms. Sands suggested that people will cut through the Tedwill community.

Mr. Kennedy suggested that they don't know that yet, but in the traffic analysis there are alternative entry points, so they will consider that. He added that one advantage of this proposal is that they would like to minimize impact on the intersection and going away from commercial aims to do that.

Kim Cathers of 200 Tedwill Road asked about the orientation of the property and suggested that this would not be a good place for a quiet and peaceful community. She added that there would be 64 more cars driving down Tedwill to get to Ferry Road. It's a congested area that would become more congested.

Karl New of 161 Tedwill Road suggested that this is too many units for the property. There is already a water issue because it is at a low point. He said that the houses there have low pressure forced sewer mains and asked if there would be any infrastructure upgrades.

Ms. Hendrixson replied that they would have to prove that they can meet the stormwater requirement.

Mr. Kennedy said that they would install a new pump station and force main down Tedwill Road, and this would not impact any existing systems.

Harold Reeser of 145 Tedwill Road said that he was told by the former property owner Barney Jarin that cars would not turn onto Neill Drive. He said that Tedwill should not be used as a cut through.

Mr. Kennedy said the plan is to put an emergency drive off 313.

Mr. Kelso asked if there are any residential options under C4 zoning.

Mr. Kennedy replied that they do not believe so, a nursing home would be the closest option.

Mr. Kelso asked how this would compare in terms of density.

Mr. Kennedy said it would be denser, about 8 units per acre.

Mr. Kelso suggested that they are basically trying to put R4 residential here. Rather than try to change the zoning they should look at the Village Center approach.

Mr. Kennedy said they had not looked at this option.

Mr. Kelso did not like the plan and suggested that this is not spot zoning but would change C4 zoning everywhere.

Ms. Goldstein added that the concept of age targeted is a marketing campaign, and legally it can't be called that. Instead, it is a multifamily residential area with higher density.

Mr. Murphy asked if the township would prefer C4 uses or would want to see something else.

Mr. Kelso suggested that they look at the draft ordinance from years ago for a mixed-use option.

Ms. Goldstein clarified that the ordinance was from about twenty years ago.

Mr. Murphy said this had not previously come up. He asked that the Township share this ordinance with them so they can look at their options.

Mike Meister, developer, explained that he also developed the Fountainville Village across the street and that it is working very well there. He asked if the Township would prefer a 55 and over community with an entrance off Ferry Road.

Mr. Kelso clarified that the issue here is density.

Mr. Meister added that a residential use was requested by the neighbors, and he was trying to come up with something unique that would work here. If the Township does not like that then they will do an office or commercial use by right.

Ms. Hendrixson concluded that a mix of residential would make more sense here, but density is an issue. She suggested the applicant look at the Village zoning and come back.

### **Items Scheduled for Discussion**

#### **Advertising on EV Chargers**

Ms. Mason summarized the question of advertisement on EV chargers, as presented by an applicant to the Zoning Hearing Board. The Township presented concerns over the location of the chargers in a pedestrian area and the use of off-site advertising. The ZHB denied the request 2-0 and the company was not willing to relocate the chargers.

Mr. Salisbury added that the chargers have no sound but large screens and are placed where the pedestrians leave the store and cross to the parking lot. Even though the advertisements are aimed at pedestrians, the screens are aimed at drivers. Further, the chargers are free and there is no plan for dealing with waiting cars.

Ms. Macauley added that in California, where there is a higher number of electric vehicles, it is standard to pay for charging. It seems free charging may not be a good idea.

Ms. Mason added that the issue from a zoning standpoint is the advertising, as it is distracting for those driving through the parking lot.

Mr. Salisbury said there were suggestions to move the chargers back in the parking lot, adjacent to the shopping carts. The company did not want to move them.

Mr. Kelso suggested speaking with another Township where they are already used and find out how the experience has been.

Mr. Baldassarre suggested that the charging not be free as this sets a terrible precedent. He added that these are destination chargers, so you don't get a lot of charge in the time you are at the location.

Mr. Salisbury also said the Township would like to request proof that the location is actually using renewable energy, like wind or solar to power the chargers. He added that if someone really wants to put in EV chargers they can do so without the advertising.

Ms. Goldstein suggested that if they only advertise products they sell, it is no different than a sign outside any store.

Mr. Kelso added that it should fit the zoning ordinance. They cannot advertise off-site companies.

Mr. Salisbury also said that the video signage should comply with PennDOT signage regulations.

Mr. Kelso suggested looking at the future of EV charging.

Ms. Goldstein explained that there are two types, a location where you charge incidentally while parked, and those that are part of fuel stations. The question is in the use and how to regulate it. Is it a parking space, a separate use, or both?

Mr. Baldassarre added that most people will charge their vehicles at home, and that most chargers will charge a higher fee the longer the car sits in the space after it has a full charge, as an incentive to move.

Ms. Macauley suggested looking at locations with a higher number of electric vehicles and set some benchmarks.

Ms. Hendrixson asked that more information be collected for the next meeting.

### **Adjournment**

With no other business, the meeting adjourned at 8:53 p.m.

Respectfully submitted,

Kaitlyn Finley  
Office Manager, Code Enforcement