



# Board of Supervisors

## Regular Meeting

425 Wells Road  
Doylestown, PA 18901  
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215-348-9915

~ Minutes ~

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**Tuesday, July 21, 2015**

**7:00 PM**

**Public Meeting Room**

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### **I. 7:00 PM REGULAR MEETING**

Members of the Board of Supervisors in attendance included Chairman; Barbara N. Lyons, Vice Chairman; Richard F. Colello, Supervisors; Ken L. Snyder, Shawn Touhill and Ryan Manion.

Township Staff in attendance included Township Manager; Stephanie J. Mason, Director of Operations; Richard E. John, Township Solicitor; Jeffrey P. Garton, Police Lieutenant; Matt O'Connor and Township Engineer; Mario Canales.

A. Pledge to the flag

B. Visitors/Public Comments

Resident; Keith Peters of 116 Steeplechase Drive requested the Board consider rejecting Plan A and Plan B presented by Phillips & Donovan Architects, LLC at the June 15, 2015 regular meeting for the proposed Township Municipal complex redevelopment. He doesn't understand why there is continued defacement of the park with the band shell and loss of tennis and basketball courts. He recommends bathrooms be installed along Environmental Education Grove instead of under the Plan A proposal. Additionally, the Board of Supervisors failed to realize it's not an essential governmental function to have a basketball court or meeting room, when the township has a YMCA located nearby. If the Police department is compelling the change, a separate police building should be built.

### **II. ANNOUNCEMENTS**

A. The next meeting of the Doylestown Township Board of Supervisors will be held on Tuesday, August 18, 2015.

B. The Ways and Means Committee will hold a meeting on Thursday, July 23rd at 7:00PM. The public is welcome to attend.

C. Sounds of Summer Concert Series 2015 – Free Admission

1. Big Band from the Valley – July 22nd – Chapman Park at 7:00 PM

2. Quakertown Band – July 29th - Central Park at 7:00PM

3. Mango Men – Aug. 5th – Chapman Park at 7:00 PM

4. "Grease" Sing-A-Long Movie – Aug. 12th – Central Park at 8:00 PM

- D. Leaf and Yard Waste Recycling - Doylestown Township residents only. The Drop off Site is open every third Saturday of the month, March-December from 9 am to 11 am. Location: New Britain Road access to the back part of CENTRAL PARK.
- E. Reminder: You can purchase Discount Movie Tickets and Discount Theme Park Tickets from our Administration Offices.
- F. Reality Check; Drugs is in our Community presented by State Representative; Marquerite Quinn will be held on July 29, 2015 from 4:00 to 7:00pm at the Intermediate Unit, 705 Shady Retreat Road

### III. MINUTES APPROVAL: June 16, 2015

Mr. Snyder made a MOTION; seconded by Mr. Colello the June 15, 2015 Doylestown Township Board of Supervisors Regular meeting minutes be approved with the following corrections...

Page 5, Section 4; Correspondence - MOTION should read "Doylestown Township Board of Supervisors approve the Township contribute \$100.00 toward the Honor Flight program trip" with MOTION FAILING 3 to 1.

MOTION was ADOPTED 4 to 1 with Ms. Mansion abstaining due to her absence.

### IV. CORRESPONDENCES

#### A. Bike/Hike Path Request near Doyle Elementary

Ms. Mason reported on receipt of Don and Ellen Loftus July 10, 2015 letter recommending a bike and hike trail be installed along Shady Retreat Road from the area of Olde Colonial Greene up to and adjoining the back side of the hospital where the trail connects to Doyle Elementary School. The suggestion was reviewed at the July 21, 2015 Bike and Hike Committee meeting, where the committee suggested the Township have a sketch prepared and research funding through a safe route to school grant.

Mr. Snyder questioned regarding the Bike and Hike path request, has there been any known issues reported to expedite the installation of trails. Mr. Touhill answered; a recommendation was presented upon a concern from the Colonial Greene Development and community off of Shady Retreat Road of no protection for children walking along over the bypass near Doyle Elementary.

By consensus the Board concurred.

#### B. Papal Visit

Ms. Mason reported Bucks County has advised of the work performed at the Emergency Management Coordinator's office to prepare for the upcoming Papal visit and the impact it may have on Bucks County. Only four locations for the Septa lines will be available during the Papal visit as Cornwells Heights, Croydon Woodburne, Levittown and Warminster. The Doylestown train station will not be available. An increase in traffic is anticipated along Route 611 and other roadways. Bucks County has been working with the Township's Fire Marshall', Emergency Management and Police department with preparations.

#### C. U.S. Business Rt. 202

Ms. Mason reported the name change of Business Route 202 has been approved by the Pennsylvania Department of Transportation (Penn Dot).

## D. Public Water &amp; Sewer Authority Council Resignation – J. Plummer

Mr. Colello made a MOTION; seconded by Mr. Touhill the Doylestown Township Board of Supervisors accept James Plummer's resignation as member of the Public Water & Sewer Advisory Committee.

MOTION CARRIED 5 to 0.

V. **REPORTS**

## A. Solicitor

No Report

## B. Police Chief

No Report

## C. Township Engineer

Mr. Canales reported over the last few years, the Federal Emergency Management Agency (FEMA) has been working on revising all Bucks County flood maps, where the Township revised their flood plain ordinance. The revised maps became effective on March 16, 2015.

On March 24, 2015, the township received notification FEMA is reviewing additional watersheds along Bucks County and will be revising the map once again. Upon the township staff reviewing the existing maps FEMA provided last week, they were informed only the Cooks Run Watershed will be included in the next series of revisions. The same procedure will need to be followed to include revising and reaching out to all property owners along the area. Although FEMA is suggesting revising the flood plain ordinance again, Mr. Canales indicated the current flood plain ordinance is in compliance as previously submitted. Mr. Canales then reported there are significant changes to the flood plain along Cooks Run and will affect many properties. Some properties will be greatly more affected than others. Mr. Canales then recommends properties owners closely review the maps once notification is received. Bucks County will be providing a website to assist with any questions or concerns.

Mr. Snyder referenced issues with the previous website and questioned if Bucks County updated their website. Mr. Canales answered; the website issues have been resolved and updated. Currently the website shows the maps approved on March 16th. The preliminary maps for the upcoming revisions have not yet been posted.

## D. Manager

Ms. Mason requested Board approval to have the Township host an open house regarding the proposed Municipal Building renovations on Thursday, August 27, 2015 from 10:00am until 12:00pm and also on Thursday, September 10, 2015 from 6:00pm to 8:00pm. Mrs. Lyons added all information regarding the open house and meetings will be able to be found on the township's website at [www.doylestownpa.org](http://www.doylestownpa.org).

## E. Supervisors

Mr. Touhill reported the Park and Recreation Board would like to thank everyone who attended the concert series, including the fireworks event. Mr. Touhill also thanked township staff for their assistance in hosting the events.

The Bike and Hike Committee continue to discuss trail extension requests, including the Beulah Road and Lower State Road trails. The annual Trail Awareness Day is scheduled for September 20, 2015 and does not conflict with the Papal visit.

The Heritage Conservancy is hosting the second annual Tuesday at the Trail event at Doylestown Municipal Building in August following the next Bike and Hike meeting, which are scheduled every third Tuesday of the month. The event will include a hike through Harts Woods.

The Agriculture Security Area Advisory Committee met with representatives from the Warrington Township to review housekeeping matters and provide a map of the Agriculture Security Area. The committee also completed an inventory where only one property was removed, which will now be developed residentially. The meeting review will be added to the Township's newsletter, where information will be provided requirements to add a property.

Mr. Snyder reported on June 20, 2015, the Environmental Advisory Committee completed all plantings and placed markers along the Environmental Center. The markers will serve as an educational tool to explain what types of native plants will grow in shade or sun light.

Mr. Snyder announced under the Roads section of the township's website, list the completion dates of roads, bridges and guide rails currently due for repairs or replacement. As the time line gets closer, Ms. Mason will send out notification on social media.

Mr. Colello reported the Planning Commission is currently working on re-drafting the Sign Ordinance. Notification was received from the US Supreme Court informing a decision was made in June of 2015 regarding the sign ordinance which prompted the committee to build up a new ordinance to match the Supreme Court's.

With the low response from residents regarding the public sewer project, Mr. Colello questioned Mr. Garton if a motion is needed to move forward. Mr. Garton responded; in conversation with Ms. Mason, it was decided to wait for additional responses and then following up with another letter. If the responses are not within regulations by August, a resolution of condemnation will be presented to those residents who haven't signed onto the program. Condemnation is a very significant activity and Mr. Garton would like to provide residents with the opportunity to respond without having to go through a process. The letter will be pleasant and provide notification if a response is not received within the week of August 15th, condemnation will be the next step.

Mr. Colello deferred to Mr. Richard John regarding the recent Doylestown Township Municipal Authority meeting. Mr. John reported the DTMA is currently reviewing three projects. One project is researching the contaminated water along Edison Furlong by installing public water. The area is bounded by Edison Furlong, Swamp Road and Turkey Lane and require a distribution system, a well, a well house and storage tank. Possible players will include Department of Environmental Protection (DEP), DTMA and Pavilion property off Route 313. Estimate cost will be approximately 2.4 million dollars.

The second project is one New Britain Borough requested the township to review several areas in need of public water, such as the Route 202 corridor and through New Britain Road. There may be some substantial buildings, which may need public water. The water is needed not only for drinking and bathing purposes, but also fire suppression. Several of these projects will cost approximately 900 thousand to 1 million dollars.

Third project is located in the Pebble Wood \ Wood Ridge development and involves an extension of the distribution system, which could provide water services. Possible players include DTMA and the township residents. Total cost will be approximately 2.3 million dollars.

Mrs. Lyons reported along with herself, Ms. Mason, Keith Peters and Ed Edenbach met at the Doylestown Historical Society last night with a special contingency from China. An executive producer and director who are creating a six part series regarding the Great Wall of China visited the former house of Edward Giles, who lived in Doylestown Township. Mr. Giles was an explorer and was a main contributor in sharing The Great Wall with the world.

The Board will be attending the Bucks County Commissioner's meeting to receive the Conservation of the Year award for the Environmental Advisory Council.

The Golf Outing was held on June 1st and all proceeds, totaling \$20,000 will go towards the restoration of Kids Castle.

## VI. PUBLIC HEARING -

### A. Amendment to the C-4 Zoning and Preliminary Land Development Plan-

Mr. Garton reported; Buckingham Retail Properties, LLC filed an application with the Township requesting the Board of Supervisors amend the provisions of the Doylestown Township Zoning Ordinance to add additional uses to the C4 Zoning District. Uses include an E1 Use on retail stores and Use E20 for motor vehicles fueling centers that would be considered by conditional use. By subsequent approval by the Board of Supervisors and subject to certain criteria. In addition the applicant requests a new section be added as 175-177.5, which would establish criteria related to the conditional uses of Use C1 District or Use E20 under Motor Vehicle Fueling Center.

Tonight's hearing was advertised in The Intelligencer Newspaper and a copy of the ordinance was made available to the Law Library and to The Intelligencer. A copy of the proposed ordinance was sent to the Bucks County and Doylestown Township Planning Commissions for comments. The site was posted with a copy of the notice indicating a meeting would occur this evening. Accordingly, the required municipalities planning codes as they relate to the consideration of tonight's public hearing have been met. For the record, the Board of Supervisors have received reports from the Township's professional staff. Meeting minutes and recommendations from the Doylestown Township and Bucks County Planning Commission have also been received. In addition, the Board received copies of power point presentation from applicants, Bohler Engineering and neighboring residents.

Attorney for Buckingham Retail Properties, LLC; John Van Luvanee provided a brief overview of the ongoing application that began on October 9, 2014 with a meeting with neighboring residents. As a result of the initial meeting, the applicants coordinated presentations from representatives from Wawa to support the added use of the motor vehicle fueling center. On January 22, 2015, a petition was filed to begin the process and not a request to re-zone a particular area. The request was to only add two uses permitted in the Township's C4 District as initially a large retail store E2 Use and Use E20 under Motor Vehicle Fueling Center. It was attempted to tailor conditions to address resident's concerns, Doylestown Township Planning Commission and ultimately by the Board of Supervisors. The two properties under the agreement and C4 District are listed as the Eagle Peak Spring Water and former Jarin's family residence.

The Doylestown Township Planning Commission first reviewed the application on February 23, 2015 and a second meeting scheduled on March 23, 2015 to provide resident's the opportunity to submit their opposition of the plan. At the March 23rd meeting, a vote of 3 to 0 was recorded, but the applicant's requested a second vote due to some confusion. A revised ordinance was forwarded on April 7, 2015 was submitted to the change the scale of the large retail store and additional criteria was added as a

response to the Planning Commission's comments. A minor amendment was also added as a condition to the conditional use to show frontage along the property located at an intersection and the intersection be comprised of two roads that met under definitions of arterial or collector roads under the Sub division land ordinance (SALDO). The Planning Commission once again reviewed the revised application in May, but the preliminary land development plan. Mr. Van Luvanee concluded by stating he is not expecting a decision of the application at tonight's meeting, but hopes to receive comments and concerns to address or directions.

Upon Mr. Van Luvanne providing an overview of residents' concerns to include Wawa not having an interest in another location for a proposed site and a change in the zoning district over the years, he introduced Mr. Adam Benosky of Bohler Engineering.

### **Features of the Site:**

Mr. Benosky explained Bohler submitted the site plans for the proposed site and provide a background of its features. The site is located along Swamp Road northeast and Ferry Road with a residential structure located in the back. A large portion of the site is wooded and will be maintained in the back. The site drains from a high point along Neil Drive and pitches to the intersection of Swamp Road, and Ferry Road at a 20 foot fall from the back high point. The water will drain towards the intersection. The proposed Wawa will be 4,900 square feet with a fuel dispensing canopy in front and pharmacy to the right. The plans were recently revised to reduce the square footage of the pharmacy to under 10,000 square feet. This allows the building to be move further away from Neil Drive. There is a vehicular entrance with sidewalks that allow for pedestrian access. The access mirrors the Valley Square site across the street. The access is a full movement with the exception of a left turn out in order to make a right in \ out. No left out will be permitted. The second access is located off Ferry Road with an access drive that comes in, behind both stores and then connects to the access out to Swamp Road. It will be a full movement intersection. Road improvements are scheduled along the frontage off Swamp and Ferry Roads with extension of right turn lanes for access into the site.

A main feature will be the limit of access out from the back and an extensive wooded area to remain. There are some areas with less trees dense, where a proposed reforestation will be installed along the property line and back behind the pharmacy. Trees will not be removed, but added as evergreens and deciduous trees. Mr. Van Luvanne added; this is the area where a deed restriction will be imposed in order to switch buffers. The property line towards the residential homes to the rear of the site will have a buffer at 306 feet, 225 square to the Rite Aid building and over 175 feet from the edge of the curb line or structure. This will have the total area at a minimal point will have a 175 foot buffer, where the township requirements are at 50 feet. Mr. Van Luvanne added; the buffers are applicable to two uses proposed in the amendments under the conditional use criteria. Upon a question from Mr. Snyder, Mr. Bensoky indicated form the right of way line to the Rite Aid is 109 feet and to the driveway that goes around the pharmacy is at 48 feet. To the road bed or curb line of Neil Drive is at 65 feet and extensively planted. Mr. Van Luvanne added; when the right of way is added the distance separation is more substantial than a buffer to the nearest residence. Mr. Benosky continued; in addition to the buffer, a six foot screen privacy fence is included, which would be additive to the landscaping.

Other important changes include the addition of a bike and hike trail along the entire frontage of both Ferry and Swamp Roads and Neil Road up to the property line. Sidewalks will navigate through the site for both uses with another sidewalk that comes out to Ferry Road. Both facilities will have site lighting with start of the art LED site lights with a mounting height of 15 feet. This is the minimum amount allowed without having too many fixtures. For Storm water management, two bio-retention basins are proposed. The first will take the majority of the water from the pharmacy and road way located in the back. The system will also be a filtration system. Extensive geo-technology investigation was completed to determine perpetrate and storm water infiltration. There is a significant amount of rock cure, so there are some limiting factors. To assist, a significant amount of soil amendment to the area, which will help absorb the water or percolate the existing soil are with the limiting factor begin the rock.

The rocks are approximately 18 feet below of the surface. There are also water quality inlets equipped with devices to stop solids from getting into the system and sumps to prevent solids from trapping. On the Wawa portion of the site, the majority of the water drains through the basin in the front of the site as part of the bio-retention system.

Through the last meeting and communications with Wawa and the developer, the area directly in front of the Wawa that includes the pumping area, canopy and fuel dispensing area will drain into two inlets. The inlets will be interconnected and drain through an oil water separator. The water will go through the 2,000 gallon system, filter the water, remove any pollutants from the pavement and then place into the bio-retention basin. The water will be treated once again once it enters the basin before leaving out into the piping systems. The system meets township and Neshaminy Creek ordinances for design requirements. An application will have to be submitted with the Conservation District and the Department of Environmental Protection (DEP) for a permit and they will review the stormwater. The system has been designed and submitted but the applicant will need to go through the land development process.

Mr. Snyder questioned if there are any outstanding issues that will affect the neighboring residents. Additionally, are there any issues that still need to be reconciled. Mr. Benosky indicated his impressions from meetings attended only the proposed use needs attention and no existing problems needing mitigation.

Mr. Touhill questioned if there any issues with rain water runoff, lighting and noise concerns. Mr. Benosky answered; a lighting study was not completed on the existing commercial facility. Currently there is site lighting, but Mr. Benosky was unsure of the design. However more details can be submitted regarding the proposed state of the art LED system. They are not typically high pressure sodium systems with a night sky effect. The LED is more muted and doesn't require outside shields, because the lighting is up inside of the actual unit. This will enable to shield the light source and eliminate the glow. The mounting height is low to avoid additional fixtures to cover the grown for a safe environment. Mr. Van Luvanne stated; 15 feet is substantially below the height of the trees between the property and residents of Tedwill Road. Mr. Benosky agreed.

### **Engineering:**

Mr. Dennis Glackin of Glackin, Thomas, Panzak, Inc. Land Planning - Provided a brief overview of his background as a planner and existing commercial properties surrounding the site. The existing zoning in the area is a mixture of three townships that come together at the intersection of Ferry and Swamp Roads with a number of zoning districts. R5 District for residential development. There is a strip of Village Commercial along Swamp Road which is partly opposite of the site and allows several uses, such as with apartments, offices and restaurants. C1 District is where the Bailey Shopping Center and a restaurant is located and allows medical offices, daycare, restaurants and taverns. New Britain Township has the Office Park (OP) District and located along the entire frontage of the township. To the south is the Watershed District and Plumstead Township has a Rural District with C4 and R1 District has zoning around. There are also a mixture of Uses permitted, such as theaters, hotels, warehouses and offices along New Britain. In terms of intensity and type of uses that allowed in the three townships are varied.

Mr. Glackin then addressed other concerns.

As per questions regarding uses in the C4 District and other areas that will allow a Wawa, several maps were prepared. The major living factor other than a minimal of outside of three acres is an intersection needs to be present at a regional arterial, a community arterial or a community collector road. All of the roads are designated in the Doylestown Township Subdivision Land Development (SALDO) ordinance. On the maps provided, all roads were color coded in the area where C4 is found today. Route 611 near Doylestown Hospital is considered a regional arterial. West State Street from 611 to the Borough line is community arterial and a community collector Road off Butler Avenue. This portion of West State Street

is not included as any of the three streets listed. Some of the areas that can have a Wawa does not have the frontage required. Ferry and Swamp Roads was chosen due to being underdeveloped.

As Mr. Glacken read a 1989 original body of the Township's comprehensive plan, he explained under the future development trends section that states major roads, such as Swamp Road will be subject to redevelopment proposals as formal residents are transformed into commercial establishments or small scale commercial uses are redeveloped into more intense commercial development with concerns of site appearance and traffic will arise. As consistent with comprehensive plan, the original site wasn't fully developed and the proposed plan will create a more intense development and the areas suggested of importance are part of the land development process. The Township's consultants have reviewed the plan and provided comments. The plans will have no impact to the natural features other than the removal of trees, there is no flood plain or wetlands, steep slopes on the property, and it's well suited from an access and utility stand point and consistent with the existing commercial uses on Swamp Road. Additionally the extensive buffering from the residential district is well over the required set back listed under the ordinance. Mr. Glackin then noted the most recent review letter from Boucher & James agrees the proposed site is generally consistent with the comprehensive plan.

Suggestions were made to place the plan under the C1 District. Currently the definition under the E10 use does not allow a Wawa type use. E10 is considered convenience sales an accessory use and can only act for half of the building and in placing of other selling goods, which doesn't fit what the applicants are proposing.

As an answer to the question if there existing properties under the C1 District that are available for the uses by providing details of other C1 zones. The detailed slides showcased sites that were vacant, viable or not based on Wawa's program in terms of frontage, size of the lot and existing uses. The C1 sections along Route 611 and Swamp Road are developed and not vacant. Other areas, such as Route 263 through Edison Furlong Road viewed were marked as not viable or along a flood plain.

The intense use concerns were supported by indicating it's consistent with commercial uses nearby and its currency for use allows for extended hours, such as with nursing homes, hospital and banquet facilities. In addition, with the substantial set back proposed, it will provide some relief.

A Wawa cannot be developed at the Burbee Tract (Fork Hook Farm) due to insufficient frontage nor the intersection of two of the streets required under the ordinances drafted. The area is long and rectangular and close to the Doylestown Hospital.

For spot zoning comments, the plan presents no change to the zoning district. There are two additional uses being permitted, but the zoning is not changing in terms of the district use. The site is located at the intersection of two major streets, which distinguishes the site from other properties. The road location is consistent with the current township requirements as the E10 use requires to be located on an arterial street. The plan also limits fueling stations to major streets related to traffic management for sound planning.

Mr. Glackin then noted; If the township passes the ordinance, no Wawa will be built at the site. The ordinance will be reviewed to determine whether what will be built on the site and the safeguards in terms of buffers, setbacks and access. The developer is agreeing to deed restrict three to five acres in the back to be a permanent non-disturbed, open space.

Mr. Van Luvanne referred to comment D of the Boucher and James recent review letter regarding the effect of local traffic and the need to evaluate within keeping to the goal of the comprehensive plan. He requested the Board to consider the improvement to address the safety of both vehicular and pedestrian traffic.

**Traffic:**

Senior Project Manager; Jennifer Walsh of McMahon Associates reported on two traffic studies conducted along the neighboring community. The Traffic Impact study was to first as required by the Township and the Pennsylvania Department of Transportation (Penn Dot) for a proposed development. The second study was smaller asked to conduct as a results concerns raised by the Planning Commission.

Prior to beginning the Traffic Impact study, applicants consulted with the Township's Traffic Engineer and Penn Dot to review the exact scope of work inhere with township and Penn Dot requirements. The scope of work was expanded upon a township request to study midday peak periods during a weekday. The study began with a data collection exercise by collecting all manual turning counts during the peak period in addition to receiving field sketches, photographs and site distance measurements of the proposed accesses. Four peak periods were studied as AM (7am to 9am), weekday midday week(11am to 2pm), weekday afternoon (4pm to 6pm), and Saturday (11am to 2pm) at the intersection of Swamp and Ferry Roads and some surrounding intersections.

The next step was to evaluate three different conditions as what is happening today with existing conditions, future scenario without the development to provide a basis for comparison for how the development will impact the surrounding roadways. The final step is to add the traffic generated by the development and the future with development conditions evaluations. Two different horizon years were also studied as the expected opening year of development in 2016 and five years into the future to 2021. This will provide a more conservative evaluation of how traffic will operate during the five year period. The purpose will also identify the impact of the proposed development on the surrounding roadways in order to identify needed improvement along the surrounding intersections so to mitigate the impact. Additionally, the study will also show accesses of the development that will operate acceptably in accordance with township and Penn Dot's requirements.

As the studies moves on, trips will be estimated the generated trips by the proposed development with utilizing trip generation manuals developed by the Institute of Transportation Engineers. The manual is a national publication with hundreds of studies of similar lands uses across the country. Approximately 50 to 60% of the trips that are generated by the development are considered pass by trips. Pass by trips are defined as already on the roadway network and traveling to and from work. They are also identified as travelers who are passing through the intersection who stop off to buy a cup of coffee or fill up on gas when the development is in place. The remaining trips are considered new trips. The impact of the development is clarified with the trip generation estimated at two to three new trips per minute to the overall roadway network, which is on average 130 to 180 new trips during the peak hour. Upon a question by Mr. Snyder, Ms. Walsh clarified new trips per peak hour are approximately 170 and will vary on peak and the amount of trip generation occurring. Ms. Walsh continued during the worst peak hour, the volume will increase by less than 3%. With development analysis, the proposed accesses are reviewed to ensure they will operate acceptably. There is a full movement access on Ferry Road. That access will provide a designated right hand turn lane to the development and will provide all movements. The access off Swamp Road will provide a right turn acceleration lane into the site towards the eastbound direction, a left hand turn lane towards the westbound direction. All the movements are allowed with the exception of a restricted egress movement to right out only. With these configuration and design, all of the proposed accesses are anticipated to operate on a acceptable level during all four peaks, which meets the township and Penn Dot's criteria.

The next step is to look at the impact on the intersection of Swamp and Ferry Roads. One of the requirements is to make sure any impact is to mitigate any impact and bring back the conditions without the development. Improvements will need to be identified that will bring the conditions back to the development. For Swamp and Ferry Roads there were recent improvements to the south and north bound left turn lanes that have been constructed. A north bound right turn lane is proposed, which will help to add capacity to the intersection, reduce the cueing along Ferry Road and help mitigate the impact and bring back the conditions to acceptable level of delay and overall service. The intersection of Ferry and Swamp will be operating the same or better as it was before the development was put in place with

proposed improvements. In addition, the signal timing will be modified as needed to adjust the signal timing with the new right turn lane.

Ms. Walsh indicated from the beginning the study, the applicants worked with the township and completed a thorough review process to provide input and comments as well accommodate the impact study. Through the comments that were provided, there is a consensus of what the results of the impact study were and recommendations everyone is moving forward with. Additionally, a post development study has been committed, which will be completed six months after the opening of the development to take a look of what the true impacts are.

The second study concentrated on the traffic impact of the adjacent community situated in the back of the development and addressed concerns with speeding and cut through traffic. Again, the applicants coordinated with the Township Traffic Engineer regarding the scope of work to be presented, all data needed was collected and completed all what was asked. The scope of work was confirmed and moved forward with three separate evaluations. The first was an additional traffic calculation of all four peak periods were studied at Ferry and Tedwill Road and turning manual moving counts of the intersection were collected. In addition, a speed study was completed along Tedwill Road and Neil Drive by laying down automatic traffic recorder counts that recorded both volume and speed over a period of several days. This provided a bigger sample size to determine what the speeding issues were along the two segments.

The origin destination study was completed to address traffic turning off of Ferry going toward Swamp and Neil. One person was stationed at Ferry Road, one at Tedwill and the third at the corner of Swamp and Neil during all four peak periods. They recorded license plates that entered and exited each intersections. Exact time, license plate and description of each vehicle was noted on the study. The data was then summarized to find matches to indicate any vehicle cutting through the development at a certain time. Once the matches were found, it was realized many of the vehicles were owned by residents. The data was re-analyzed to separate the difference between a resident or actual cut through vehicle. Because of the timing, it was realized there was no cut through traffic identified. If the times and matches were within a few minutes of each other, it was likely a cut through vehicle. The results determine for the intersection of Ferry and Tedwill Road will operate at an acceptable level of service during all four peak periods during future conditions. The speed study revealed a small amount of traffic that travels above the speed limit, on average the 50 percentile was very close to the speed limit with no speeding issue. The origin destination study only found four matches out of approximately 160 to 170 license plates recorded. The conclusion determined there wasn't an existing speeding or cut through issue. Although the information was only counted for one day and regardless of the existing data, an important note is the new development will not have any impact on cut through traffic. If it was to exist at a higher level than what the analysis revealed. Ms. Walsh indicated if you take the traffic along Ferry Road, any traffic that is cutting through to go to Swamp and Neil, the destination will not be the development. The traffic will travel from Ferry Road then turn into the development. As a result there will be no cut through issue.

Another movement concern was the restriction of the Swamp Road access to not allow left turns out. The traffic may make a right hand turn out to Swamp Road and make a right onto Neil than a right onto Tedwill then left onto Ferry Road. If there was no access onto Ferry Road maybe a reasonable conclusion, but given the access to Ferry Road most traffic will try to find the easiest route. In conclusion, the new development will add to any cut through traffic along the residential neighborhood if the issue exists today.

Mr. Snyder questioned; for the peak periods what does the numbers really mean. Ms. Walsh answered; the peak hour numbers represent the total volume of all approaches at the intersection of Swamp and Ferry Roads.

Resident: Steve Murphy of 68 Valley View Road commented on several issues to include, there is no record of any buffer size concerns from any of the neighbors. The residents' concerns are not about the

details the development proposes to place on site. The concern is the overall proposal to place a gas station in their neighborhood. Mr. Murphy then questioned does the township really need another gas station. There will probably be another gas station built within a mile of the proposed site.

There is a human element neglected, where studies have been submitted indicating how safe the site will be. However, upon searching the internet, there are several news articles showcasing gas spills along the area. Mr. Murphy noted a 2011 accident in a Plumstead Wawa where due to an accident gas was spilled in the local water. With the community having wells for water supply, there is a concern a similar incident will occur. With the majority of Wawa customers being pass by trips, there is no benefit to Doylestown Township. Only customers who are driving beyond Doylestown will benefit from the proposed Wawa.

With regards to traffic, Mr. Murphy stands at a bus stop every morning off Tedwell and indicated the traffic does increase and witnessed several cars speeding. The right hand turn lane coming on Swamp Road is a major concern, because vehicles who realize a left hand turn cannot be made will become upset and drive down Neil Road or Tedwill Drive.

The only people who will benefit from the Wawa will be the developers and Wawa, none of whom are tax payers, voters or residents of Doylestown Township. The only people who will be harmed are Doylestown residents.

Mr. Murphy addressed the C4 re-zoning by indicating the statement regarding new land use under the C4 district will only be used at the proposed location sound like spot zoning. Or go around spot zoning by requesting the township rewrite the code in the language provided.

Resident; Joseph Shiro of 23 Valley View Road questioned the statement of 33 trips projected to increase the amount of traffic. Was the study an assumption the Wawa will undersell other gas stations in the area would generate the increase of traffic or another installation at the intersection. Mr. Van Luvanne introduced Wawa's Project Engineer; Michael Radell who explained Wawa does not undersell their gas. The gas is priced at a fair market value, where profits are made with fuel sales. Prices are generally as per the local area and in many cases they are not the lowest price compared to local gas stations.

Ms. Manion questioned was the trip evaluation completed based upon a lower priced gas station. Ms. Walsh answered; the study is based upon similar land use and size as per the trip generation manual, and is convenient market gas pumps and nothing to do with pricing.

Resident; Joseph T. Herrity of 5 Pine Mill Circle questioned was there a cut through study completed for Chapman Road. Ms. Walsh indicated a study for Chapman Road was not brought to their attention and therefore no study was completed.

Resident: Carl New of 161 Tedwill Drive questioned if blasting will be completed to place the tanks into the ground and if there are study available in that area. Based upon the last installation of tanks where digging was completed at 22 feet by machinery with no blasting, including rocks.

Resident: Kimo Labasey at 12 Allen Drive commented on the proposed use is consistent with uses that may currently exist in Plumstead and New Britain by indicating it's a contradiction. Nowhere in the C5 District in Plumstead or the O2 New Britain ordinance it note any gas stations that have a 24 hour operation. The operations tend to be retail or residential and close by 9:00 or 10:00pm to reopen at 5:00 or 6:00am. The new uses are not gradually escalation of uses, but dramatic changes to what use to be the neighborhood. A C4 commercial office district is a good gradual escalation or a buffer between a residential community and a commercial use, which is currently in place.

Mr. Labasey then commented how Wawa cannot locate another site to place it's operation. A home buyer is not allowed to change the use of the a residential property, so why can a gas station with a commercial

use be permitted. The applicants are not seeking a C1 to increase the uses. They are looking into a C4 where only two properties can potentially facilitate it and the prime catalyst is to have a gas station and not a pharmacy.

Resident; Peter Fechtmann of 180 Tedwell Road noted several vehicles, such as a black Mercury and Lexus, plus a Fedex truck who constantly cut through the neighborhood. As a former army reserve who promotes rule of law, elections and provincial counsels and stated not one resident is in favor of the proposed development.

Resident: Karen Murphy 68 Valley View Drive commented on the statement public water will be provided to the residents off Tedwill. She questioned if there is no concern of ground water contamination, why is a public water connection offered.

Resident Nina Aston of 105 Tedwill Drive questioned is it possible for the applicants to change the criteria to find another site. The residents all were aware of the existing zoning prior to purchasing their homes. To change the zoning would not shed a good impression of the residents.

Mr. Fechtmann commented he moved into his home because he appreciated the zoning and look of the community. He does not want the community to look like Route 611.

Apex Company Engineer; Mr. Tom Fort addressed several resident comments regarding stormwater by indicating the stormwater does flow northwest toward the intersection. It will be retained along two impoundments. The first off the west and the other on the northern boundary. Prior to entering the impoundment, the water will be treated twice by a snout separation device. The inlet devices led into the impoundments and filtered at the bottom. The water that flows from the fueling area towards the north and northwest is treated once again through an oil water separator. The stormwater is treated at least twice before leaving the property and well controlled on the site.

Mr. Van Luvanne addressed comments by explaining the idea the C4 will be considered a buffer public should use Doylestown Hospital as an example of what can be developed in the C4 District and not just a buffer. Pubic water connection is offered because it was a concern from the residents. As the plan progressed, the connection would be evaluated and taken into advisement not due to a potential problem.

He then referred to the most recent Boucher & James, Inc May 13, 2015 review letter that reference the capability or incapability of the plan with the Township's comprehensive plan. Mr. Van Luvanne voiced his concern stating as per the Planning Commission minutes each of the reasons assigned for rejection was not supported by what has been presented, consideration of the comprehensive plan or the ordinance. He is unsure where the uses will be placed and why the conclusion was it will have less impact. The township hasn't seen a new E10 use anywhere in Bucks County in the last thirty years. Today's trends are gas stations with a convenience store. Pass by traffic doesn't mean the vehicles are not from Doylestown Township. Many residents will have an occasion to use the proposed Wawa. Once an amendment is submitted, it's the practice to not presume the entire township will be planned and to have a specific site in mind. This is the only site to rezone and will be a broader planning consideration than the applicant should engage on behalf of the township. Mr. Van Luvanne suggested the township should review the C4 district for updating and tweaking of the criteria. He couldn't recall any rezoning since the C4 District was implemented in 1989.

Mr. Van Luvanne referenced the Planning Commission comments with regard to intensity of the plan. Item #5, he explained as for the intensity of the use, upon reviewing the Boucher and James review letter there is no notation indicating the same. Mr. Van Luvanne indicated he wasn't sure if the intensity is having a 24 hour service or something else. With respect to the coverage, imperious surface and size of building, there is no issue and needs clarification.

Item #5 of the Planning Commission's motion, Mr. Van Luvanne explained allowing other use on the parcel off West State Street and Butler Avenue has no issue unless the township limited to only one, where the ordinance can be tailored. The applicant provided several reasons why the area cannot be developed as a modern motor vehicle fueling station.

Item #6, the issue of the applicant not providing a reason for a zoning change allowed in the C4 other than demand is superficially reasonable but not from just the applicants. The zoning district was listed for twenty five years as a two property zoning district, with no proposals except for retail. The property has been for sales with no interest other than retail and should be re-evaluated as per the comprehensive plan.

Item #7, the spot zoning issue and adding another land use, regardless of how limited it is to the district is not spot zoning. It's a broadening of permissive uses.

Item #8, Mr. Van Luvanne addressed the comment, Wawa decides to relocate, it will open the site to other potential applicants for the same use by agreeing, but the new site will be for the same use and subject to the same restrictions. This is why the applicant has created the restrictions noted in their plans and why the criteria is difficult to comply with. If the consensus that Wawa is a good land use but more restrictions are needed and is a different issue. The land development process can begin at the same time of the zoning ordinance review.

Mr. Van Luvanne stated none of the Planning Commission's comments are a compelling reason why something that constitute good planing and a good land use opportunity for the township should not be explore more fully.

Resident; Barbara Schempp of 10 Valley View Drive commented the noise issue has been brought up at every Planning Commission meeting. She noted Planning Commission Vice Chairman; Tom Kelso's own comments regarding noise during a recent visit to the Plumstead Wawa with the abundance of trucks carrying supplies stopped by the site approximately 3:00am.

Resident; Kim Cathers 200 Tedwill Drive lives on the corner of Ferry Road and Tedwill Drive and commented she prefers not to have a Wawa located outside her front window and a six foot fence proposed as a buffer will not assist. She is concerned the site will have constant loud music. The traffic will become an issue, especially on a Sunday when church services end where traffic is now backed up all along Ferry Road. She indicated the intersection is too small for all the proposed uses and doesn't make sense. Additionally, there is cut through traffic happening and is concerned for her children's safety. Her final concern is the contamination with the community's well water once blasting begins and possible issues with spills.

Mr. Colello made MOTION; seconded Ms. Manion the Doylestown Township Board of Supervisors deny applicants; Buckingham Retail Properties, LLC request for an Amendment to the C4 Zoning and Preliminary Land Development Plan with comments.

Mr. Colello clarified the Planning Commission motion regarding the proposed plan by indicating all parties stipulated that the vote would cure confusion from a previous vote made in May of 2015. Mr. Van Luvanne agreed. As for the comprehensive plan, its goal is an overview of the architects who devised the plan be a review the overall vision. Then the ordinance is created for zoning and uses as to clearly define of what is in mind for the comprehensive plan. To say the applicant's proposed use fits into the comprehensive plan is not accurate, because it's clear the architects did not want to go in that direction. The zoning and uses were tailored of what their vision was. Mr. Colello then respectfully disagreed with the spot zoning comments, indicating it's right for a zoning challenge.

Mrs. Lyons commented providing a model for Wawa is not needed and if the use doesn't fit, then it should be accepted. Her hope for a trend is to build less gas stations and believes if the township is going to modify the C4 zoning uses, the process should be completed by the Township's Planning Commission,

Planner and through public hearings with residents. It should not and will not be completed through an application for this type of development. Mrs. Lyons agrees the residents purchased their homes based in the C4 community and expect either banks or doctor's office be built, not a gas station. The goal of the Board of Supervisors is not only to protect zoning but mainly residents and where they live. Lastly, the use is very intense along the corner with gas stations operating at 24 hours per day, seven days a week.

Mr. Snyder is in support of Mrs. Lyons comments and questions data provided with the increase of cars. It's going to be more than 33 cars during the AM peak period. With the proposed Wawa, the traffic will be a great deal more and create havoc along the intersection.

Mr. Touhill addressed the comment of a post study complete six months after completion of construction by indicating the study will provide no support for the residents who opposed the plan.

Ms. Manion agrees with the Board's decision and appreciates all presentations. As a resident, she emphasizes with the community's concerns in having a gas station situated so close to their homes.

MOTION was ADOPTED 5 to 0.

## VII. UNFINISHED BUSINESS –

### A. MileStone Bank (aka Covenant Bank) - Band Shell Sponsorship –from 6/2/15 meeting

Mrs. Lyons reported Covenant Bank approached the Township on June 2, 2015 with a sponsorship opportunity of naming the band shell for five years at \$10,000 per year at \$50,000. The township looked into their long term supporters for interest in taking part.

Ms. Mason reported Alicia Hughes of the Thompson Organization offered \$50,000 for a three year term as a thank you for township's support throughout the years.

On behalf of the Park and Recreation Board, Mr. Touhill commented a shorter term commitment was favored. Mrs. Lyons reported MileStone Bank, aka Covenant Bank is new to the township and supporters of the performing arts. Mrs. Lyons requested regardless of the outcome, she hopes support of the performing arts continue. She continued; the Thompson organization has been a huge supporter of the township for over 25 years.

Upon a discussion amongst the Board reviewing each offer, Mrs. Lyons made a MOTION the Doylestown Township Board of Supervisors accept the Thompson Organization sponsorship of the band shell at \$50,000 for three years.

MOTION WITHDRAWN by Mrs. Lyons and tabled the matter providing Covenant Bank sufficient time to review Thompson Organization's offer for a response.

## VIII. NEW BUSINESS

### A. Expansion of CDs offered by Multi-Bank Securities - Resolution

Ms. Manion made a MOTION; seconded by Mr. Colello the Doylestown Township Board of Supervisors approve the Resolution for the Expansion of CDs offered by Multi-Bank Securities.

MOTION was ADOPTED 5 to 0.

### B. Yearly Records Retention and Disposition Resolution

Mr. Colello made a MOTION; seconded by Ms. Manion the Doylestown Township Board of Supervisors approve Yearly Records Retention and Disposition Resolution #1626, adopted on May 1, 2012 where

Doylestown Township declare it's intent to follow the schedules and procedures for the deposition of records as set forth in the Municipal Records Manual approved on December 16, 2008, updated on July 23, 2009 and have items listed as Administrative and Legal, Financial and Purchasing Records, Payroll Records, Personnel Records, Planning and Public works records be deposited of.

MOTION was ADOPTED 5 to 0.

For informational purposes, Ms. Mason referenced the Doylestown Township Municipal Authority (DTMA) memorandum requesting the disposition of records due to their Intergovernmental relationship and a copy has been provided.

Mr. Snyder commented upon reviewing items identified for disposal, some exceed the retention schedule. He requested the township conduct an audit and hold the departmental managers accountable for items identified in the schedule not being deposited. It's a concern to view items that have been held onto for a long period of time. Ms. Mason responded; an intern is currently going through each item to assist.

Mr. Colello requested clarification if the DTMA records are included in the Township's Resolution #1626. Ms. Mason answered; they are a separate entity and the DTMA is currently in the process of disposing their records.

C. Casa Bella – Amendment to Land Development Plan

Mr. Garton reported applicants; Casa Bella development received preliminary and final land development plan approval. This only issue is the reallocation of the same amount of imperious surface. This is because one lot had the entire road included, so only one home could be built. The engineer and planner have no issues or requested an increase of imperious surface.

Chris Pisani of Casa Bella Development, LLC added; the area is part of a private road and took a major part of the imperious surface calculations for the property. As a result there was a net of approximately 7,000 square feet, which will barely fit a driveway and a house. To resolve the issue, 1,000 square feet was deducted from Lot 1, 3,000 from Lot 2 and placed 4,000 into future imperious surface of Lot 4. This will provide the ability to place a pool or patio and prevents any future problems.

Ms. Colello made a MOTION; seconded by Ms. Manion the Doylestown Township Board of Supervisors approve applicants; Casa Bella's Amendment to the Land Development Plan subject to all prior conditions added to the original approvals.

MOTION was ADOPTED 5 to 0.

D. Zoning Hearing Board – D. Hojnacki, 49 Brinker Dr. South – Request a Special Exception

It is the consensus of the Doylestown Township Board of Supervisors to forward Walt and Dawn Hojnacki of 49 Brinker South request for special exception to build an in-law suite to the Zoning Hearing Board as per the recommendation of Township Manager; Ms. Mason.

E. Request to Send Vehicles to Auction

Mr. Colello made a MOTION; seconded by Ms. Manion the Doylestown Township Board of Supervisors approve the request to send a 2010 Crown Victoria (Vin#2FABP7BV2AX129002) with odometer reading of 94,558, 2011 Crown Victoria (Vin#2FABP7BV8BX124114) with odometer reading of 84,338 and 2002 Crown Victoria (Vin#1GDJK34U12F224029) with odometer reading of 60,806 to public auction to be held on August 15, 2015 by J.J. Kane Auctioneers.

Mr. Snyder questioned if the vehicles are being forwarded to auction due to rusting and not mileage. Mr. John responded; the vehicle has operated under extreme snow conditions for over 12 years and rusting is the issue.

MOTION CARRIED 5 to 0.

F. Treasurers Report – July 21, 2015

Mr. Snyder made a MOTION; seconded by Ms. Manion the Doylestown Township Board of Supervisors approve the July 21, 2015 Treasurer's Report.

MOTION was ADOPTED 5 to 0.

G. Bills List – July 21, 2015

Ms. Manion made a MOTION; seconded by Mr. Snyder the Doylestown Township Board of Supervisors approve the July 21, 2015 Bill's List in the amount of \$555,789.61.

MOTION was ADOPTED 5 to 0.

**IX. ANNOUNCEMENTS**

- A. The next meeting of the Doylestown Township Board of Supervisors will be held on Tuesday, August 18, 2015.
- B. The Ways and Means Committee will hold a meeting on Thursday, July 23rd at 7:00PM. The public is welcome to attend.
- C. Sounds of Summer Concert Series 2015 – Free Admission
  - 1. Big Band from the Valley – July 22nd – Chapman Park at 7:00 PM
  - 2. Quakertown Band – July 29th - Central Park at 7:00PM
  - 3. Mango Men – Aug. 5th – Chapman Park at 7:00 PM
  - 4. “Grease” Sing-A-Long Movie – Aug. 12th – Central Park at 8:00 PM
- D. Leaf and Yard Waste Recycling - Doylestown Township residents only. The Drop off Site is open every third Saturday of the month, March-December from 9 am to 11 am. Location: New Britain Road access to the back part of CENTRAL PARK.
- E. Reminder: You can purchase Discount Movie Tickets and Discount Theme Park Tickets from our Administration Offices.
- F. Reality Check; Drugs is in our Community presented by State Representative; Marquerite Quinn will be held on July 29, 2015 from 4:00 to 7:00pm at the Intermediate Unit, 705 Shady Retreat Road

**X. ADJOURNMENT**

The Tuesday, July 21, 2015 Doylestown Township Board of Supervisors Regular meeting was adjourned at 9:37pm.

Respectfully submitted by

Stephanie J. Mason  
Secretary