



Board of Supervisors

Regular Meeting

425 Wells Road
Doylestown, PA 18901
www.doylestownpa.org
Twitter: @DoylestownTwp
www.facebook.com/doylestowntwp
215-348-9915

~ Minutes ~

Tuesday, June 18, 2019

5:00 PM

Meeting / Activity Trailer

I. 5:00 PM REGULAR MEETING

Members of the Board of Supervisors in attendance included Chairperson; Barbara N. Lyons, Vice Chairman; Ken L. Snyder with Supervisors; Richard F. Colello, Ryan Manion and Jennifer V. Herring.

Township Staff in attendance included Township Manager; Stephanie J. Mason, Director of Operations; Dave Tomko, Township Solicitor; Jeffrey P. Garton, Chief of Police; A. Dean Logan and Township Engineer; Geoffrey J. Attanasio

A. Pledge to the flag

B. Visitors/Public Comments

The Board met in Executive Session, prior to the meeting to discuss real estate and personnel matters. A Budget Work Session was conducted prior to the meeting and Township's 2020 Budget is well underway. The next Budget Work Session is scheduled for September 17, 2019 and open to the public.

II. ANNOUNCEMENTS

A. The next meeting of the Doylestown Township Board of Supervisors will be held on Tuesday, July 16, 2019 at 7:00 PM in the NEW MUNICIPAL BUILDING.

B. Doylestown Township Administrative Offices will be closed on Thursday, July 4, 2019 in observance of Independence Day.

C. Thompson Performing Arts Concert Series – All concerts will be performed at the C & N Amphitheater in Central Park– Events will start at 7:00PM unless noted otherwise.

D. 2019 Discount Park Tickets and Movie Tickets and are NOW available! To purchase tickets please contact the Administration Office.

E. Kids Castle is temporarily closed now until later this summer to install lots of new play equipment for children of all abilities - so stay tuned.

- F. Leaf and Yard Waste Recycling – the 3rd Saturday of each month from 9AM – 11AM – Drop off site is located at the New Britain Rd. entrance of Central Park. Please visit our website for more information.
- G. July 19th – Park and Recreation Professional Day
- H. Doylestown Township’s Annual Golf Outing will be held on Monday, August 26, 2019. Please contact the Administration Office for more details.

III. MINUTES APPROVAL: Regular Meeting - June 4, 2019

Mr. Colello made a MOTION; seconded by Ms. Herring the June 4, 2019 Doylestown Township Board of Supervisors Regular meeting minutes be approved.

MOTION was ADOPTED 5 to 0.

IV. CORRESPONDENCES

A. Pension Advisory Committee Resignation – G. Shuster

Mr. Snyder made a MOTION; seconded by Ms. Manion the Doylestown Township Board of Supervisors accept Mr. Gregg Schuster resignation with regrets as a member of the Pension Advisory Committee.

MOTION CARRIED 5 to 0.

B. Green Point Initiative

The Doylestown Township Board of Supervisors acknowledged receipt of Environmental Advisory Member Ms. Anne Woodbury's June 13, 2019 memorandum thanking the Board for the adoption of the Green Point Initiative.

V. REPORTS

A. Solicitor

B. Police Chief

Chief Logan informed the Board on the passing of Perkasio Borough Police Chief; Steven Hillias. On behalf of the Board, Township and Police department, Chief Logan extended condolences to the Hillias Family, Perkasio Borough Police department and the community of Perkasio.

C. Township Engineer

D. Director of Operations

Penn Builders Change Order #10

Mr. Snyder made a MOTION; seconded by Ms. Manion the Doylestown Township Board of Supervisors acknowledges Penn Builder's Change Order #10 for the extension of the Administration and Police Building Phase II construction schedule as a revised substantial completion date of May 9, 2019 to May 24, 2019. There is no monetary value connected with the change.

MOTION CARRIED 5 to 0.

Boro Construction Change Order #02 and #03

Ms. Manion made a MOTION; seconded by Mr. Snyder the Doylestown Township Board of Supervisors approve Boro Construction Change Order #02 and #03 in the total amount of \$2,888.26 for additional cost to add ceiling dampers to Archive Files 1020 at \$1,362.86 and to insulate the liquid line on the two split system units at \$1,525.40.

MOTION CARRIED 5 to 0.

Mrs. Lyons indicated the Board also received the Monthly Executive Report from JD Bravo Company regarding status of the Municipal Building Complex project.

E. Manager

Ms. Herring made a MOTION; seconded by Mr. Colello the Doylestown Township Board of Supervisors authorize Director of Finance; Ken Wallace attend with an overnight stay the Pennsylvania Institute of Certified Public Accountants (PICPA) Local Government conference in Hershey, PA from July 22nd and 23rd for a total cost of \$814.20.

Further, authorize Township Manager Stephanie Mason attend with an overnight stay the 105th Annual City/County Management Association conference in Nashville, TN from October 20th to the 23rd for an approximate cost of \$1,513.00.

MOTION CARRIED 5 to 0.

F. Supervisors

Ms. Herring reported; ongoing discussions continue with Central Buck School District regarding school safety topics, such as, gun issues and suicide. Suicide is the second leading cause of death of children between 5 and 24 years old. To become proactive, Ms. Herring completed a Bucks County Suicide Prevention Task Force course in QPR. The course reviews options in identifying and assist individuals with suicidal thoughts. If any residents know of an individual who needs assistance, they can text BCHope to 741 or call (800) 273-8255. For further assistance, Ms. Herring offered bracelets with #HOLDONYouMatter stamp and contact information to anyone interested.

Ms. Herring informed the Task Force is interested in coming to the Township to teach the free course. Mrs. Lyons suggested having the Task Force team up with the Lenape Valley Foundation to host a suicide prevention event.

Mr. Snyder reported the Traffic Advisory Committee will begin working with the residents and develop a survey to collect feedback to address speeding issues. The next meeting is scheduled for August, where the survey will be reviewed before mailing out. In addition, the Traffic Advisory Committee will reach out to the public in the Fall for participation.

Mr. Colello reported the American Legion Post, off North Street, has a bin behind their building to dispose of old flags. Eagle Scouts will collect the flags and respectfully burn them.

PECO Energy has a program in place to remove old appliances and will pay \$75.00. The program is only for appliances in working order. All information can be found on their website.

Mrs. Lyons requested Board consideration to post suicide assistance resources on the Township's website. Information will include having a section to address questions and concerns. The Suicide Prevention hotline provides assistance as five questions to ask to anyone at risk.

VI. PUBLIC HEARING - None

VII. UNFINISHED BUSINESS- None

VIII. NEW BUSINESS

A. Pebble Ridge/Woodridge Sewer Project - Engagement Letter – Special Counsel
Matthew J. McHugh of Klehr Harrison Harvey Branzburg LLP

Mr. Snyder made a MOTION; seconded by Ms. Manion the Doylestown Township Board of Supervisors approve Matthew J. McHugh of Klehr Harrison Harvey Branzburg LLP remain working with the Township as a special counsel regarding securing a bond and other business dealings at the same expense.

MOTION CARRIED 5 to 0.

Gilmore & Associates, Inc. Pump Station Change Order No. 2

Mr. Snyder requested clarification on the charge of \$4,900.00. Ms. Mason answered; the charge represents the net of the total to furnish and install a variable frequency drive. The comminutor, which is the unit that grinds the sewage in the pump requires three phases of electric services. PECO Energy unit is a single phase and not sufficient. Ms. Mason indicated the change is necessary to have the system run properly and can be absorbed into the project. Mrs. Lyons added; the charge is an addition and not listed as a credit.

Mr. Snyder made a MOTION; seconded by Mr. Colello the Doylestown Township Board of Supervisors approve Almeida & Hudak Contractors, LLC Change Order No. 2 to provide proper electrical phase to operate a comminutor and subject to confirmation of what took place with the original comminutor.

MOTION was ADOPTED 5 to 0.

B. Land Developments

1. Brooks Track Preliminary/Final

Mr. Garton reported; the applicant proposes to subdivide tax parcels 9-22-79, 9-22-79-1 and 9-22-79-2 into five lots. Lot number one will contain the exiting dwelling and garage. The remaining four dwellings will be improved with new single family dwellings. The plans were prepared by Gilmore & Associates, Inc. on February 28, 2019; last revised April 29, 2019. The Doylestown Township Planning Commission recommended Board approval of the application at their May 28, 2019 meeting, subject to conditions.

Attorney; Joseph M. Blackburn of Wisler Pearlstine, LLP presented applicant; Cherry Lane, LLC subdivision land development plan as three parcels located between Cherry Lane and Pine View Drive. The subject parcel in the aggregate and consists of approximately 12 acres under the R1 Residential Zoning District as the former site of Brooks Rare Species Nursery.

Applicant is proposing to re-subdivide three parcels to create five lots. One of the lots will be used to maintain the existing single family dwelling. Lots 2, 3, 4 and 5 will be improved, each with a single family dwelling. Lots 2 and 3 will take access from Cherry Lane through a shared, use access driveway. Lots 4 and 5 will have direct access to Pine View Drive.

The application was originally submitted in approximately March of 2019 and various review letters were received from Township Consultants. The reviews served as a basis of conversation for the Township Planning Commission at their March 25th meeting. The applicant received Planning Commission comments and along with resident remarks, incorporated onto a revised and resubmitted plan. Once a second set of review letters were received, a second meeting was scheduled with the Commission on May 25th, where a recommendation for preliminary \ final land development approval was received, including granting waivers.

The plan presently has three principal revisions as a pedestrian \ bike trail along Cherry Lane, installation of a Refuge Walk along Pine View Drive bend and prepare an evaluation to extend public water onto Lots 1, 2 and 3 to be served by on lot septic. As an additional note, the intent is to preserve as many specimen trees or exhibits along the property as much as possible. Neighbors assisted in identifying which trees will remain and removed. Neighbors also assisted with the delineation of surrounding bamboo along and spilling off the property.

A number of waivers from the Subdivision Land Development Ordinance (SALDO) will be requested to accommodate the development. They are classified into two categories as drafting waivers as technical provisions of the ordinance pertaining to off site features that need to be shown. The second category is under shared access driveway for lots 2 and 3. The waiver is to create a private driveway and not a township road and not build a drive to public roads specifications. Other waivers requested are pertaining to calculations.

Mrs. Lyons questioned; with regards to the road not being create per specifications, will the residents be informed maintenance of the road will not be the township's responsibility. Mr. Blackburn indicated yes and a proposed condition may be in place as a shared access maintenance agreement for the record.

Mr. Snyder questioned; why will lots 4 and 5 not have public water. Project Manager; Ronald G. Monkres II, PE of Gilmore & Associates, Inc answered; after considering several concepts, private extensions to all lots 1, 2 and 3 directly from Cherry Lane and possibly directionally drill private services from Cherry Lane was selected. Then, two separate services will line away behind Lot 4 to serve both lots. Upon discussion with one of the preliminary driller, they are comfortable in creating a connection along a wooded lot at 400 feet. However, further discussions and evaluations will be completed. Directional drilling requires a launching and receiving pit to drill a hole to bring equipment down from one to another. To accomplish this, approximately 400 feet of woods will need to be cleared by the streets and may not be a realistic option. Mr. Colello added; in addition, the septic system will have to be moved. He then commended Mr. Monkres on his assistance and willingness to work with the township.

Ms. Herring questioned; is there enough space on the shared driveway for a vehicle to pull to the side. Mr. Monkres indicated; it will be added to the plans. Mr. Blackburn added; the applicants will comply with all comments of reviews letters and a revision was made during the first round of letters received, where a pull off was added. Ms. Herring commended the applicants in working with neighbors in preserving trees along the property.

Mr. Blackburn requested additional waivers be added under Section 153.29(A)(1) and recommended by the Planning Commission as not creating unnecessary deep lots in relation to width. The lots were not classified as unnecessary deep and subjective standard. The waiver is requested as a precaution.

Prior to Board approval, Township Solicitor; Jeffrey P. Garton set forth the following conditions:

1. Compliance with the Boucher & James, Inc., planning review letter dated May 22, 2019;
2. Compliance with the Boucher & James, Inc., engineering review letter dated May 23, 2019;
3. The Board of Supervisors granted the waivers noted in the Boucher & James, Inc. Engineering review letter dated May 23, 2019 beginning on page 2, which consisted of twelve (12) waivers and, in addition thereto, granted a waiver from the provisions of Section 153-79 A-1. As to the waivers, applicant shall contribute the value of the waivers to the Township for the waivers granted identified as Items 4, 6 & 7, with the amount to be determined between now and the execution of the Financial Security Agreement;
4. Compliance with the Michael Baker International, Inc., letter dated May 9, 2019;
5. Compliance with the Bucks County Planning Commission review letter, to the extent not resolved by the approval and conditions noted herein;

6. Compliance with the SC Engineers review letter dated May 27, 2019, with the understanding that Lots 1, 2 and 3 will be connected to public water, if between now and the recording of the final Plans, the applicant, in conjunction with the Doylestown Township Municipal Authority can find a mutually agreeable manner in which to provide public water to Lots 4 and 5, a modification to the final Plans can be made without returning to the Board of Supervisors for any further approval;
7. Applicant shall work with the neighbors and the Township regarding removal of existing bamboo and a Note shall be added to the Plan describing how the bamboo will be removed. A copy of the Note included as a condition of approval is attached hereto as Exhibit A;
8. Applicant shall pay a fee in lieu of recreation in accordance with the Township Ordinance;
9. Applicant shall make an off-site contribution of \$1,000 for each new dwelling unit which shall be paid as of the execution and funding of the Development and Financial Security Agreements;
10. If an HOA is to be established, documents related thereto shall be reviewed and approved by the Township Solicitor;
11. Receipt of all permits from any agency having jurisdiction over such matters, including but not limited to the Bucks County Conservation District, the Pennsylvania Department of Environmental Protection, the Bucks County Board of Health, etc.;
12. Funding and execution of Development and Financial Security Agreements;
13. Applicant shall execute a Stormwater Management Agreement in a form satisfactory to the Township Manager; and
14. The Plans shall be ADA compliant.
15. Applicant shall prepare a Shared Driveway Access and Maintenance Agreement to be recorded of record. Prior to recording, the form of the Agreement shall be reviewed and approved by the Township Manager and Township Solicitor.

On behalf of applicant; Cherry Lane, LLC, Joseph M. Blackburn, Esquire of Wisler Pearlstine, LLP agreed with all conditions.

Mr. Colello made a MOTION; seconded by Ms. Manion the Doylestown Township Board of Supervisors approve the Brooks Track Preliminary/Final Subdivision Land Development plan with conditions as set forth by Township Solicitor; Jeffrey P. Garton.

MOTION was ADOPTED 5 to 0.

2. Authorization to Advertise Proposed Ordinance Amendment – Allowing C-17 Use in C-3 Zoning District – Tabor Property

On behalf of the Tabor property, Mr. John Carr explained; plans were submitted and reviewed by the Doylestown Township Planning Commission and staff for a proposed plan to create a mix of offices, daycare and C17 Use for assisted living and memory care facilities. The facility will house 150 beds and located along the former Tabor property in Doylestown. A change of zoning is requested to allow the C17 Use under the C3 District.

Additional details to address include, the ordinance contains a provision limiting a mixed of use when it comes to the independent versus assisted living elements of the facility to 10% of the units under independent living tied into state agency definition of independence and assisted living uses that does not exist. The request is to eliminate the mix and provide flexibility to begin at a 1/3 of each as memory, assisted and independent care. However, the percentages may shift, depending upon the health of the population.

The plan was reviewed by the Doylestown Township Planning Commission and the Bucks County Planning Commission, where both included review comments from township professionals into consideration and recommended advertisement of the ordinance as submitted.

Ms. Herring questioned; if a waiver for open space requirement will be requested. Mr. Carr answered; the proposal is to not have an open space requirement applied to the use and district. The requirement refers to the C2 District and not specifically the C17 Use. The plan shows a significant amount of preserved open space, woodlands and reforestation. The requirement is being achieved without the requirement being imposed. If a 40% requirement was to be applied, the project cannot be constructed.

Mr. Colello made a MOTION; seconded by Mr. Snyder the Doylestown Township Board of Supervisors authorize advertising a Proposed Ordinance Amendment allowing C17 Use in the C3 Zoning District.

MOTION was ADOPTED 4-0-1 with Mrs. Lyons recusing herself due to a family interest in the parcel.

C. Zoning Hearing Board – N. Pelletier & T. Yannessa, 117 Pebble Woods Dr. – Request Variance

The Doylestown Township Board of Supervisors agreed by consensus to forward Noel G. Pelletier and Tina E. Yannessa of 19 Pebble Woods Drive request for a variance to construct a two car garage addition with a nine foot setback to the Zoning Hearing Board as per Ms. Mason recommendation.

D. Treasures Report – June 18, 2019

Mr. Snyder made a MOTION; seconded by Ms. Manion the Doylestown Township Board of Supervisors approve the June 18, 2019 Treasurer's Report.

MOTION was ADOPTED 5 to 0.

E. Bills List – June 18, 2019

Mr. Snyder made a MOTION; seconded by Ms. Manion the Doylestown Township Board of Supervisors approve the June 18, 2019 Bill's List in the amount of \$1,002,575.01.

MOTION was ADOPTED 5 to 0.

IX. ANNOUNCEMENTS

The next meeting of the Doylestown Township Board of Supervisors will be held on Tuesday, July 16, 2019 at 7:00 PM in the NEW MUNICIPAL BUILDING.

Doylestown Township Administrative Offices will be closed on Thursday, July 4, 2019 in observance of Independence Day.

Thompson Performing Arts Concert Series will begin on Wednesday, June 19, 2019 in Central Park at 7:00PM at the C & N Bank Amphitheater.

X. ADJOURNMENT

Hearing no further business, the June 18, 2019 Doylestown Township Board of Supervisors Regular meeting was adjourned at 5:44pm.

Respectfully submitted by

Stephanie J. Mason, Secretary