

DOYLESTOWN TOWNSHIP PLANNING COMMISSION
Regular Meeting

July 26, 2010

The Doylestown Township Planning Commission Regular Meeting was held at 7:00 p.m., Monday, July 26, 2010 in the Doylestown Township Municipal Building, 425 Wells Road, Doylestown, PA. Members of the Planning Commission in attendance included: Chairman; George Lowenstein, Thomas Kelso, Edward Redfield, Donald S. Page and Judy Hendrickson. Also present: Board of Supervisor Liaison; Richard F. Colello and Township Manager; Ms. Stephanie J. Mason.

Absent: Planning Consultant; Ms. Judy Stern Goldstein, in her absence Planner/Landscape Architect; Mr. Kevin W. Kochanski was present.

Review of Minutes:

Minutes of the May 24, 2010 Planning Commission Regular meeting were approved in the form of a motion by Mr. Page, seconded by Mr. Redfield.

Motion was adopted 5 to 0.

Minutes of the June 28, 2010 Planning Commission Regular meeting were approved in the form of a motion by Mr. Page, seconded by Mr. Kelso.

Motion was adopted 5 to 0.

Public /Committee Comments: None

Sketch Plan – New Apostolic Church

As per the request of the Planning Commission in March, 2010, New Apostolic Church Attorney; Herbert Sudfeld, presented the commission with a proposed engineering plan of the Apostolic Church Land Development Plan. Mr. Sudfeld then informed the Board, recently the church was granted land development and waivers by the Zoning Hearing Board. The church also addressed many of the neighbors' concerns with positives results.

The Church is now requesting permission to add twelve (12) additional parking lots, additional plantings of 76 tree, some of which is to replace the trees removed, and the following waivers needed to complete the Land Development Plan...

- 1) *Section 153-20 and 153.21 – A waiver from the requirements to make a full Land Development submission to the township, to include a Submission of Preliminary and Record Plans.*
- 2) *Section 153-25, 153-26, 153-33.H – A waiver is requested from providing sidewalks and curbing along Pine Run Road and Rickerts Road.*
- 3) *Section 153-28.D – A waiver is requested from providing a 24’ wide access driveway. The existing driveway is 20’.*
- 4) *Section 153-28.F – A waiver is requested from providing a planting buffer around the proposed parking area*
- 5) *Section 153-34 – A waiver is requested from providing landscaping, buffer plantings and street trees as required by ordinance.*
- 6) *Section 153-34.B.2(c) – A partial waiver is requested to park within a side buffer yard. This is an existing non-conformity that is being slightly increased.*
- 7) *Section 153-34.C – A partial waiver is requested from woodlands and tree preservation*
- 8) *Section 153-36 – A waiver is requested from providing any additional site lighting and/or street lighting. The neighbors to the property do not want any additional lighting coming from the site.*
- 9) *Section 153-38 – A waiver is requested from providing stormwater management. The parking is currently sheet flows into the farm field and will do the same post development. This existing means of filtering and infiltrating the runoff from the parking lot serves as a good BMP device. Detaining runoff in a case like this would not be appropriate. The applicant however is willing to provide a filter between the parking lot and the farm that is acceptable to the township engineer.*
- 10) *Section 153-43 – A waiver is requested from providing monuments.*

Waiver requested from the Doylestown Township Neshaminy Creek Watershed Stormwater Management ordinance.

- 11) *Section 148-22 – A waiver is requested from providing groundwater recharge as required by ordinance. Stormwater BMP devices shall be proposed to maximize cleansing of the stormwater runoff before it enters the farm. Infiltration testing is therefore not necessary.*

12) Section 148-25.D(1) – A waiver is requested to use the Rational Method for stormwater management calculations rather than the required TR-55 Method. (Applicant will provide calculations)

Gilmore & Associates Senior Project Engineer; Mr. Eric Clase provided an overview of the applicants proposed engineered plan and explained, in March of 2010, the Planning Commission requested preliminary engineering plans for the project. The Planning Commission requested trees and shrubs be planted around the church. Upon a recent meeting with several neighbors, the applicant is now requesting a waiver as per the neighbor's request of the street trees to avoid obstructing electrical lines near the adjacent farm. Mr. Page agreed, it would be a wonderful idea.

Mr. Redfield requested clarification on the landscape comprise calculations. Although applicant realizes the removal of 29 trees were wrong, they are trying to work with the township and neighbors to develop a reasonable plan that makes sense. Mr. Lowenstein questioned, will a shine from the lighting on the building come through the windows of the nearby properties. Mr. Clase referred to a blue print of the church's property after five years and indicated with the evergreens provided; they will block light from entering any adjacent properties. Mr. Lowenstein then suggested if a lighting plan can be proposed to both prevent trespassing into the church's property and keep the neighbors safe.

Mr. Page was concern that the property may have water problems in the future with so much planting. Mr. Clase answered; that the church was trying to find a happy median to appease the neighbors.

Mr. Kelso questioned if the plan includes any stormwater management. Mr. Clase informed the runoff on the property goes directly back onto the farm and filters naturally. To avoid creating a basin to chase grade 500 to 600 feet to discharge water, a proposed two foot wide stone trench that goes two feet into the ground will clear up to two inches of runoff from the parking lot, then with larger storms the water will continue to runoff naturally. Mr. Kelso worried the runoff will go into the septic system. Mr. Clase indicated that he will work with the township engineer; Mario Canales work out a plan for the Planning Commission's review to provide corrections.

Mrs. Hendrickson agreed the trees should not be placed along the street, but would like to see a lower canopy of trees or shrubs utilizing other ground cover and have the taller trees behind the parking.

Resident; Robert Russell of 415 Pine Run Road agreed with Mrs. Hendrickson's suggestion to have a lower coverage of trees provided in the front and larger trees in the back. He appreciates the open view of the farmland from his home.

Resident; John Wilson of 439 Pine Run Road also agreed by stating he would not like to see trees planted along the road to cover the building. Also, Mr. Wilson suggested the proposed engineered plan should make sense to fit in with the neighborhood with reasonable heights of bushes and trees.

A discussion ensued between the commission and Mr. Clase on the best landscape design to enhance the church and provide buffering for the neighboring properties.

Mr. Redfield questioned if there are any power line issues. Mr. Clase indicated there was not, due to the power lines running along the road and would not interfere with the planting.

Mr. Lowenstein questioned why there was a long pathway to the church from handicap parking. Mr. Clase explained the existing grade which has a six foot drop with a retaining wall prohibits the direct access from the parking lot. Mr. Lowenstein then questioned why not place handicap parking in the back of the building. Mr. Clase answered; the church members would have to climb up steps to the main floor from the rear entrance. Mrs. Hendrickson wondered if there is an opportunity of a drop off from the driveway to a side entrance. Mr. Clase indicated, due to the existing grade along the edge of the building, prohibits a drop off there.

Resident; Jay Bosteck of 391 Pine Run Road had several concerns for himself and neighbors. His property is directly across from the church and fears the lights will shine into his home. Although Mr. Bosteck is satisfied with the overall plan, he suggested the applicant provided a more personal plan to add more trees toward the driveway to block another neighbor's property adjacent to the church's driveway with pine trees to avoid lights shining into his home. Mr. Clase indicated the church is more than willing to work with the neighbors. Mr. Bosteck's third concern was with the planting of 76 trees, it may affect other trees in neighboring properties and asked the trees be placed strategically to avoid killing others. Finally, Mr. Bosteck suggested large trees be planted along the driveway to block lighting from neighboring properties behind the driveway..

Mr. Kelso suggested a septic system needs to be defined to avoid trees being planted above. New Apostolic Church Representative; Mr. John Doerner agreed.

Mr. Page then requested to view the list of waivers requests by the applicant. Mr. Clase provided the commission with the list of waiver requests. A discussion ensued.

Upon review of the waivers, Mr. Lowenstein informed Mr. Clase that a waiver for lighting cannot be approved. For safety reasons, lighting is going to be needed. Mr. Sudfeld indicated

additional site lighting in the parking area is not wanted, other than what the building provides. Mr. Kelso suggested it may be beneficial to strategically place spot fixture to shield the other properties providing a more effective lighting, than flood lights. Mrs. Hendrickson suggested foot lights with motion detectors or timed be installed along the parking areas, since the handicapped church members have a long distance to walk. This will enable the lighting to shine along the perimeter of the building rather than toward neighboring properties. Mr. Doerner indicated they would like to speak to the neighbors prior to any decision made regarding lighting.

Mr. Kelso was generally satisfied with the waiver requests, but would like to applicants to further research, lighting, stormwater, septic system and tree options.

Mr. Lowenstein would like further research on options of tree planting along the roadway without large trees and consideration of lighting options in the parking lot for safety, especially for the handicap.

Mr. Kelso clarified, if the Board of Supervisors grants the waivers then the applicants will coordinate with township staff regarding the resubmission of land development and a recommendation from the Planning Commission will begin the process. Ms. Mason agreed.

Mr. Sudfeld requested the commission's guidance on a second entrance off the church. Upon a recent meeting with the Zoning Hearing Board, a request to place a second entrance into the church's parking lot should be considered. The township planning consultant indicated it was a good idea, but was not going to require it. Mr. Kelso indicated the road in front of the building can be used for emergency access. Mr. Page asked how large the Apostolic Church's congregation is. Mr. Sudfeld answered about 100. Mr. Page did not see a problem with utilizing the road for an emergency access. Mr. Redfield agreed.

In the form of a motion, Mr. Kelso requested the Doylestown Township Planning Commission recommends to the Board of Supervisors grant a waiver of Full Land Development Submission with the understanding that the applicant has agreed to meet the land development requirements except for those identified in the requested waivers list presented to the Planning Commission at this meeting and further the Planning Commission suggest the applicant further evaluate lighting options for the parking and pedestrians areas of the building, eliminating the street trees proposed to the east of the building along Pine Run Road as shown on the engineered plan, and reviewing the location of the trees proposed over the septic systems. It is understood the applicant has offered to provide offsite landscaping to shield the property opposite of the existing driveway of the church, seconded by Mr. Page.

Motion was adopted 5 to 0.

High Water Table SALDO addition

Upon review Township Engineer; Mario Canale's memo dated July 6, 2010 Mr. Kelso and Mr. Lowenstein suggested the following changes be made to the Proposed Below Structure – Seasonal High Water Tables and Groundwater Ordinance....

- 1) Section A; The end of the next to the last sentence to read “The test results shall be certified by a qualified professional geologist”.
- 2) Section B; The end of the last sentence to read “...of drainage are provided, such as french drains..
- 3) Section B; The end of the first sentence to read “... groundwater elevation, whatever is the highest.”

In a form of a motion, Mr. Kelso suggested the Doylestown Township Planning Commission recommend to the Board of Supervisors for consideration the additional to the Sub-Division Land Development Ordinance the Below Structure – Seasonal High Water and Groundwater Tables be considered for advertisement with changes as discussed, seconded by Mr. Redfield.

Motion was adopted 5 to 0.

Solar Energy Ordinance

Ms. Mason informed the commission after they approved the Solar Energy Ordinance the Environmental Advisory Council provided comments and therefore the Board of Supervisors did not approve advertisement of the ordinance at their meeting of July 20, 2010. Ms. Mason then advised the commission if they would like to incorporated the EAC's comments, the ordinance with then be resubmitted for advertisement approval at the August 17, 2010 Board of Supervisors meeting.

Upon reviewing the EAC comments, Mr. Lowenstein indicated several issues with Section V.(15)(d) of the ordinance, such as “*nor be visible from the road in front of the primary structure*”. Mr. Lowenstein felt it should be more defined to be not in the front yard. Also on Section V.(15)(f) Mr. Lowenstein indicated it should read “Manufacturer's data and certificates of design compliance shall be submitted with the permit and plans”

Ms. Mason clarified if there is a through lot and corner lot, the home owner has a choice to pick with side an accessory structure can be installed. Mr. Kochanski agreed.

A discussion ensued between the Board, Mr. Colello and Ms. Mason regarding the definition of Section V(15)(d) and where a solar structure can be installed.

The Commission agreed to change Section V.(15)(d) to read similar to the Wind Energy Ordinance, indicating “Ground mounted systems may be located no closer than the front setback of the house and/or primary building from the street line. In no case, however, shall a ground mounted system be located within a front yard as defined in the Zoning Ordinance,” as recommended by Planner/Landscape Architect; Mr. Kevin W. Kochanski.

Mr. Kelso then suggested the removal of the word *significantly*.

Based upon the review of the comments of the Environmental Advisory Council, the Commission recommended changing the previous draft of the Solar Energy Ordinance as follows;

- 1) In paragraph I., remove the word significant.
- 2) In paragraph V(15)(d); the sentence to read “Ground mounted systems may be located no closer than the front setback of the house and/or primary building from the street line. In no case, however, shall a ground mounted system be located within a front yard as defined in the Zoning Ordinance.”
- 3) In paragraph V(15)(f); the end of the last sentence to read “Manufacturer’s data and certificates of design compliance shall be submitted with the permit and plans.”

Advertisement of Agenda in Legal Ads

Mr. Lowenstein suggested a request for the Doylestown Township Planning Commission agenda is posted on the website and Legal Advertisement in the newspaper be stopped. With the recent economic systems and normally letters mailed to residents informing them of meetings, Mr. Lowenstein stated it would be appropriate.

In a form of a motion, Mr. Kelso suggested a recommendation to the Board of Supervisors to have the Doylestown Township Planning Commission meetings agendas be posted on the Townships website and eliminate paid advertisement, seconded by Mr. Page.

Motion was adopted 5 to 0.

Zoning Officers Associations

Ms. Mason provided a copy of a memo from Executive Director of the Bucks County Planning Commission; Ms. Lynn Bush regarding information on zoning ordinance for their review.

Adjournment 8:37 p.m.