

**Minutes from the
DOYLESTOWN TOWNSHIP PLANNING COMMISSION
Regular Meeting**

April 25, 2011

The Doylestown Township Planning Commission Regular Meeting was held at 7:00 p.m., Monday, April 25, 2011 in the Doylestown Township Municipal Building, 425 Wells Road, Doylestown, PA. Members of the Planning Commission in attendance included: Chairman; George Lowenstein, Vice Chairman; Judy Hendrixson, Thomas Kelso, and Kenneth L. Snyder. Also present: Board of Supervisor Liaison; Richard F. Colello, Township Manager; Ms. Stephanie J. Mason and Planning Consultant; Ms. Judy Stern Goldstein

Absent: Edward Redfield

Review of Minutes:

In a form of a motion, by Ms. Hendrixson, seconded by Mr. Kelso the March 28, 2011 Planning Commission Regular Meeting minutes were approved.

Motion was adopted 4 to 0.

Public/Commission Comments: None

Doylestown Executive Quarters/Silver Maple Farms - Neamand Tract/Revised Preliminary Land Development Plans (Use B15)

Gilmore and Associates Engineer; Greg Glitzer provided a brief history of the ongoing Preliminary Land Development Plan, where applicants; Doylestown Executive Quarters/Silver Maple Farms plan to build ten new townhome units along the existing farmhouse of Neamand Tract to qualify for Use B15. Also, an extension to non-conforming use the applicants are planning to build 32,000 square feet of office space at a residential scale.

Most recently, Mr. Glitzer prepared and submitted a Zoning Compliance Overlay plan and waiver requests for condominium ownership. Also, the location of the multiuse trail has been changed to include a retaining wall to keep the path away from an existing pond to avoid any stormwater management issues. The multiuse trail now follows the path of the fire retention facility, north of the Neshaminy Creek channel.

Finally, the applicants will comply with all comments and resolved issues regarding memos from Boucher & James, Inc.'s of April 12, 2011, Township Director of Code Enforcement; Sinclair Salisbury's of April 15, 2011, Township Environmental Advisory Council's of April 18, 2011, Pennoni Associates, Inc.'s of April 20, 2011 and Pickering, Corts & Summerson, Inc.'s of April 8, 2011.

Mr. Lowenstein questioned if a response was made to the January 3, 2011 Environmental Advisory Council's memo regarding testing of Phase one soil sampling. DBD Reality Ltd representative; Dave De Luca responded Neamand Tract's attorney, Mr. Edward F. Murphy provided his comments indicating more testing will be required in Phase I of

the environmental soil samples and results will be provided soon. However, Mr. De Luca can provide partially, completed test results for the commission's review.

Mr. Lowenstein then questioned if the applicants are willing to mark stormwater drains to avoid illicit dumping. Mr. De Luca agreed. Mr. Lowenstein indicated stenciling materials will be provided by the township.

Ms. Stern Goldstein then suggested applicants forward a memo to the Environmental Advisory Council informing issues are being addressed as per their January and April, 2011 memos. Mr. De Luca agreed, and will respond within a few days.

Mr. Kelso questioned status of the bike and hike trail's grading to show contour doesn't seem to be completed near the retention basin. He suggested the trail be moved approximately 10 feet away from homes to provide a better grade. A discussion ensued between the commission and Mr. Glitzer regarding the position and grading of the trail and their effects of the adjacent townhomes. Mr. Glitzer agreed to provide access from the multiuse path to the condominium association property, where the township may assume dedication in the form of an easement. Further, the applicant will consider installing a side walk from the commercial use area connecting to the trail for better flow.

Resident; William Lee of 42 Radcliffe Drive questioned where he can be provided with ongoing progress of township plans and if the township will be responsible for the area behind the existing homes. All plans with comments can be found in the township administrative offices and the multiuse path may have an easement in the township's favor. Also, 14 acres near the pond will be offered to the township.

In the form of a motion by Mr. Kelso, seconded by Ms. Hendrixson the Doylestown Township Planning Commission recommends the Doylestown Township Board of Supervisors approve the Doylestown Executive Quarters/Silver Maple Farms – Neamand Tract Revised Preliminary Land Development plans with the understanding the applicants are in compliance and addressed issues in memos from Boucher & James, Inc.'s of April 12, 2011, Township Director of Code Enforcement; Sinclair Salisbury's of April 15, 2011, Township Environmental Advisory Council's of April 18, 2011 and Pennoni Associates, Inc.'s of April 20, 2011. Further, the applicant has agreed to consider a bike and hike path and proposed open space along the upper regions of the pond.

Motion carried 4 to 0.

Doylestown Executive Quarters/Silver Maple Farms - Neamand Tract/Revised Preliminary Land Development Plans (Conditional Use Application)

Mr. Glitzer explained while presenting the engineering plan, upon meeting with Township Engineer; Mario Canales, an outflow pipe was added to the engineering plan for complete infiltration and avoid overflow. This will meet all requirements for conditional use.

In the form of a motion by Mr. Kelso, seconded by Mr. Snyder the Doylestown Township Planning Commission recommends the Doylestown Township Board of Supervisors endorse the Doylestown Executive Quarters/Silver Maple Farms – Neamand Tract Revised Preliminary Land Development plans Conditional Use application as presented.

Motion carried 4 to 0.

Outdoor Furnace Ordinance – Continued Discussion

Mr. Lowenstein provided the updated Outdoor Furnace ordinance prepared by Ms. Stern Goldstein to include comments and two minor revisions from the Environmental Advisory Committee (EAC) for the commission's review.

Upon reviewing EAC comments and revisions, the commission questioned the following sections and agreed until issues are reviewed by Township Solicitor; Jeffrey P. Garton and Code Enforcement Officer; Sinclair Salisbury the Doylestown Township Planning Commission cannot advise the Board of Supervisors.

Mr. Kelso questioned the basis for the administration to enforce removal of an existing, non-compliance unit upon adoption of the ordinance, as per **Section 6; Item C**. Ms. Stern Goldstein suggested township's Solicitor; Jeffery P. Garton review the ordinance prior to advertisement.

Mr. Hendrixson questioned all existing units will only allow certain materials to be burned utilizing the outdoor furnace, such as natural untreated wood, corn products and biomass pellets, as per **Section 5; Item B**. Ms. Hendrixson's believes existing units should be grandfathered as long as they are in good operating condition.

Mr. Lowenstein questioned **Page 4; Item J** applies only to a second system for the sole purpose of hot-water that will need to be used within a limited amount of time as per **Item K**. Mr. Stern Goldstein indicated the EAC decided to keep the wording of the ordinance in order to allow a second system to heat water in a home, during the summer. Dates provided in Items K are referenced from the Property Management Code where landlords are required to provide heat to tenants from September 1st and June 15th of each year.

Mr. Lowenstein believes heating will be suspended if weather conditions and quality are a factor, as per **Page 5; Item F**. Mr. Kelso suggested notifying residents a back up heating unit may need to be required for weather or air quality emergencies.

Mr. Lowenstein suggested limiting fines of a \$100.00 per day as per **Sections 9 and 10** under Penalties and Appeals to tie both sections together. Ms. Stern Goldstein indicated scheduling a meeting with the township solicitor and code enforcement officer is critical for the premise of the ordinance and to address policy issues prior to approval of the Board of Supervisors.

In the form of a motion by Mr. Kelso, seconded by Ms. Hendrixson the Doylestown Township Planning Commission recommends the Doylestown Township Board of Supervisors have Township Solicitor and Code of Enforcement Officer further review items noted in Section 6; Items C, Section 5; Item G and Sections 9 and 10 to consider the provision for addition of existing non-conforming furnaces standards and consider adding standards for suspension of use under Section 6; item F, of the ordinance Adding a New Chapter titled "Outdoor Furnace Ordinance" to the Code of Ordinances of the Township of Doylestown.

Motion carried 4 to 0.

Ms. Hendrixson questioned the use of coal. Ms. Stern Goldstein answered the ordinance prohibits the use of coals because the outdoor dwellers are mainly use wood and the Department of Environmental Protection's model ordinance indicates coals is not allowed to be burned. Ms. Stern Goldstein will research additional provisions that reference coal burning units.

Street Hierarchy

Mr. Lowenstein informed the commission, Special Projects Manager; Sandra Zadell is currently revising the maps to include Route 202. At the next meeting, Mr. Lowenstein will provide updated maps to include the completed Route 202 Parkway project and lines that will indicate where roads go adjacent to municipalities with an updated database for review and comments.

Adjournment: 8:44 p.m.