

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

July 27, 2015

The Doylestown Township Planning Commission Regular Meeting was held at 7:00 p.m., Monday, July 27, 2015 in the Doylestown Township Municipal Building, 425 Wells Road, Doylestown, PA. Members of the Planning Commission in attendance included Chairman; Judy Hendrixson, Vice Chairman; Thomas Kelso. Members; Ed Harvey and George Lowenstein. Other in attendance included and Board of Supervisor Liaison; Richard F. Colello, Township Manager; Stephanie J. Mason and Township Planning Consultant; Judy Stern Goldstein.

**Absent: Member: Edward Redfield**

**Review of Minutes:**

In the form of a motion by Mr. Lowenstein; seconded by Mr. Kelso the June 22, 2015 Doylestown Township Planning Regular meeting minutes were approved.

Motion carried 4 to 1 with Mr. Kelso abstaining due to his absence.

**Public\Commission Comments – None**

**Pavilion at Furlong Sketch Plan**

Edward F. Murphy, Esquire of Wisler Pearlstine, LLP reported since meeting with the commission on April of 2015, several comments were received from consultants. In May of 2015, the applicants presented their sketch plan to the Board of Supervisors where many of the same comments were received. The applicants then revised their plans and met with the Township staff in June to review the plan and address both the Commission and Board comments. The staff meeting resulted in the submission of a further revised plan. Additional comments were received by Boucher & James, Inc dated July 22nd, Pennoni & Associates and with traffic.

Mr. Murphy then provided a brief summary of the changes made such as, a reduction of the overall site wide imperious surface. As per comments, the imperious was over 50% on a site wide basis. In order to make a conservative effort to reduce the imperious, a number of items were accomplished. One section was eliminated and the width of the proposed bike and hike path reduced. L. Scott Mills. RLA of Van Cleef Engineers added; the bike path was reduced and removed along Swamp Road. The remaining path along Route 263 was reduced in width from 12 to 8 feet. Mr. Murphy reported the Bike and Hike Committee were also informed of the proposed changes and indicated given the location, felt he reduction was appropriate and safer.

With the inconsistent width of both of the one way and two way traffic spines running between Route 313 and Rogers Road, Mr. Mills reported the two sections of the one way from Swamp Road into the site and Rogers Road into the site were reduced down to 16 feet in width. The remaining portion of the spine road between the two one way sections are a consistent width of 21 feet. Mr. Murphy indicated Traffic Consultant; Phil Wursta also reviewed the changes and had no issues with safety and reliability of the widths. Mr. Kelso noted a question regarding safety vehicles. Mr. Mills responded; auto turn software was run with fire, delivery and garbage trucks to make sure that it

would work. Mr. Murphy added; the issue will be reviewed continuously as the project moves along. Inconsistent one way or two way widths internally did not make good sense. This is significant in what is contributed to the overall reduction. Mr. Kelso commented it will also assist in vehicles entering Rogers Road incorrectly as a noticeably one way access. Mr. Murphy agreed and indicated in prior plans the access from Rogers Road was 28 feet, because it was designed for a potential two way traffic. However, with the recent change the road is now a one way at 16 feet.

Mr. Murphy stated to address the over sidewalk issue from inside of the job, there was a network of sidewalks in place. Once reviewed a second time, it was determined many unnecessary lengths in sidewalks were present. Mr. Mills added; the biggest length easiest to remove was the path along Route 313, because due to no reason in having a sidewalk connection. Other areas deemed unnecessary were also removed while still providing connections from each of the different users to one another. No functionality or safety was sacrificed in the ability to go between the different uses. It was more logically to minimize the unnecessary imperious.

After some comments regarding limiting the parking stall width to 9 x 18 for those spaces immediately in front of the building or take a broader look at a case basis. Some areas have been limited to just the parking stalls width reduction to just in front of the building. Mr. Lowenstein questioned what is the basis for this action. Mr. Murphy answered; cars are smaller. Mr. Lowenstein disagreed. Mr. Mills added; it's the stalls that are closest to the entrances are 10 x 20, because they are more frequently used. The stalls along the perimeter to the users and uses have been reduced to 9 x 18.

For the adjustment to the size of retail buildings, Retail A has been reduced by 1,000 square feet and tighten approximately 10 feet shallower than in the previous plan. The larger length is in anticipation of the width and shallow depth. It will also act as a buffer between the rear of the building and residential neighbors. Retail B was shorten in length approximately 50 feet along the east side of the building, facing Route 263. This was in an effort to assist in preserving a sycamore tree. In a whole, the building was reduced from 12,500 square feet to 10,000 square feet. An additional area of landscaping was added adjacent to the building as an industrial use. The overall total square footage of the site has been reduced. Compared to the plan submitted in April, the total square footage was 61,600, the current plan is at 58,051. The plan's overall site wide imperious surface in April was at over 50% and reduced to 45%, which equals to approximately an acre in area. The extent of woodlands that will be preserved has gone up correspondently to approximately 27%. Other variances previously discussed remain the same with minor adjustments.

Ms. Hendrixson questioned if the CVS was reduced. Mr. Murphy answered; the CVS was previously reduced at a maximum of 10,000 square feet. Additionally, the uses haven't changed.

Mr. Kelso questioned the painted area to close a lane along the right turn at York Road at the intersection of Swamp Road. Mr. Wursta answered; that was an action from Penn Dot to delineate the deceleration lane into the site. As cars come around Route 313, the painted line will prevent cars from hugging the deceleration lane. It will also provide guidance to cars coming across from the Buckingham site of York Road. Mr. Kelso then questioned if curbing can replace the painted lines. Upon a discussion regarding options, Mr. Wursta agreed and will discuss the issue with Penn Dot. Ultimately, Penn Dot will make the final decision through the highway occupancy permit process.

Mr. Lowenstein questioned the loading dock located in the back of Retail A. Mr. Mills responded it was determined by the client the loading dock behind Retail A was not necessary and a straight forward loading area is all that is required. Mr. Lowenstein questioned if there will be loading during off hours. Mr. Mills answered; the off hour loading

was a concern when a CVS and urgent care was proposed. With the new plans, the CVS will have a loading area and the urgent care will not have a designated loading area. The urgent care will potentially have off hours for loading because possible issues with traffic. However, all of the other uses have a designated loading area and will not have an impact with parking. The difference on Retail A, is the issue in having a raised loading dock that a truck can back up. This was removed, because the client deemed it unnecessary. Retail B loading area hasn't changed and both will be separate from customer's entrance.

Ms. Hendrixson questioned will the site have public water and sewer. Mr. Murphy answered; Yes and No. Upon a conversation with Doylestown Township Municipal Authority (DTMA) Director; Richard John, the site will move forward with a water system owned and maintained by the township. However, the system will be considered well based and an extension of mains. The sewer connection will be centralized onsite system that will not be controlled or maintained by the township.

Mr. Colello reported; the geologist from DeVal Soils was in contact with the DTMA and indicated they are interested in having a well on site and dedicated back to the township, so other issues in the area can be addressed.

**Public Comments:**

Resident: Bob Tumelty of 3443 Bristol Road questioned where will the run off flow to. Mr. Mills answered; the storm sewer will be located along Rogers Road. There will be a small treatment facility and a disposal field located near the same area. The system will be considered a sand mount.

A resident off 101 Nursery Road questioned if a list of variances can be provided. Mr. Murphy answered; the list of variance requested are...

1) Buffer yards are proposed to the adjacent to the proposed daycare center located along Rogers Road, because of the buffer requirement zoning. There is extensive buffer between the daycare center and Rogers Road at over 100 feet. The area is zoned residential where it's not being used as residential.

Ms. Stern Goldstein added; the road, basin and number of plants don't technically meet buffer requirements.

2) Front yard depth, Section 175-17B.1 specifies parking cannot be located in the front yard. Parking is proposed between the retail use and York Road. The applicants request not to have all the parking on the uses so not to further encroach between the spaces of the residential properties and provide parking in front of the buildings.

3) Buffer Yards and Commercial Users – the applicant will be providing landscaping along Retail B, but not as required by the township.

4) Dimension of the parking stales – township ordinance requires stalls to be 10x20. There are a number of spaces proposed to be 9x18.

5) Loading docks – as defined earlier in the meeting and as determined by the client the loading dock behind Retail A was not necessary and a straight forward loading area is all that will be required.

6) Dumpster locations; As per the ordinance, dumpsters cannot interfere with the travel lanes or parking area - For the CVS and urgent care dumpsters will be located in the drive through areas for Retail B adjacent to the commercial. Additionally, the daycare the garbage pickup will be off peak time.

- 7) Woodland disturbance – township ordinance requires 50% of disturbance and the plan proposes 27%.
- 8) Imperious Surface – the ordinance allows a maximum of 40% of imperious and the plan proposes 45.2%.
- 9) Parking – requires to be located to the side or rear. The plan proposes some parking located in the front.
- 10) Use E1 – The retail in the portion of the site is zoned LI and supposed to have an E1.

The resident then questioned; if there is a particular hardship that prevents the plan in having 40% of imperious surface. Mr. Murphy answered; a balance in trying to draw between making a reasonable use of the property and trying to address the situation with a split zone property between LI and C1. With 45% and given the configuration, LI is the right size mix.

Mr. Murphy added; not all of the variances will be submitted at the same time. Some will be submitted once the site design is completed where potentially more may be requested.

Mr. Mills added; normally for buffer yard variance requests, an aerial photograph is provided rather than a location survey. Mr. Lowenstein commented; with aerial photographs onsite sewage location can be provided. Mr. Mills agreed and indicated from a Department of Environmental Protection (DEP) stand point there are certain limitations of how close facilities can be to one another. Mr. Lowenstein then questioned if currently there is enough distance between the facilities. Mr. Mills answered; to his knowledge yes. DelVal sited where the septic system would be located, an on lot well noted on the plans, the offset distance required and that it doesn't encroach. The waiver requested is in lieu of an aerial photograph, having the survey show other existing natural features.

11) Sidewalks requiring the width of six feet – The applicant is providing four or five feet in the interior portion of the site. Additionally, the bike and hike path was adjusted to eight feet in width. Ms. Stern Goldstein questioned if the applicant will make sure all ADA requirements are followed. Mr. Mills agreed.

12) Requirements of the Bike and Hike path to be 12 feet – applicants have reduced the size to 8 feet.

13) Requirements of the Parking Stales to be 10x10 – applicants have adjusted parking along the front of the stores and users will be 10x20. Surrounding stales will be 9x18.

14) Requirement for parking to be located a minimum of ten feet from any side of the rear of the property line – plan has parking at five feet from the property line as commercial on either side.

15) Caliber inches of trees – With three categories 6 to 12, 13 to 24 and 25 to 48 and the requirement of preservation. The applicants have a chart on the plan which describes how many trees under the categories, total caliber of inches and how much in total are proposed to disturb.

16) Edges of grade and providing grading up to the perimeter of the site, where a five foot buffer needs to be provided to allow for grading - The plans need to grade out into the loading area with landscaping provided for buffer.

Ms. Stern Goldstein noted for clarification; the number of trees needing replacement is because of the waivers requested are in addition to the number of trees required to provide as a replacement onsite from a prior violation. Mr. Mills agreed.

Mr. Lowenstein questioned if a survey was completed detailing an access near the Temple Judea. Mr. Mills answered; the applicant is currently working on surveying. When a survey was received from another party, the information regarding the access was not included. The intent is to have access off Rogers Road be align with the Temple's access drive.

Jim Bingler of Turkey Lane in Furlong questioned; what happens to the approximate 14 to 18 trees that are 25 to 48 inches, where 90% have to be preserved. Ms. Stern Goldstein answered; the applicants are requesting a waiver for the tree protection for that category and in the Subdivision Land Development (SALDO) notes a sliding scale of a percentage allowed to disturb by right. There is also an additional amount to preserve if they are providing tree replacement. The applicants are proposing to disturb more than permitted and will provide tree replacement for more than what's being disturbed. Mr. Bingler then questioned if the trees can go over the 90% of caliber inches requested. Ms. Stern Goldstein answered; that is what the applicant is requesting and proposing. The additional tree replacement to compensate, which if you take the total number of caliber per inches and multiple by .6, then divide by 3 with equal the number of trees. As a note, the total are not the same as the existing trees.

Mr. Bingler then questioned was there any discussions regarding installing wells near a county commercial land fill that was a filled in quarry. Mr. Colello answered; as of today and Friday, the well head was attempted to be located without success. The only information provided was from other engineers who indicated the area was producing 400 gallons per minute. However, the exact location could not be found. Mr. Bingler clarified his question as; would the township want to place a commercial well off 400 yards of where a county land fill or a filled quarry was once located. Mr. Colello answered; there are certain regulations DEP and other governmental have. Mr. Bingler then asked if there is any knowledge that the quarry or land fill was found. Mr. Colello responded he has no idea. The geologist knows from DelVal Soils and mentioned the quarry may be approximately a foot high.

A resident questioned how deep is the proposed well and how many minutes per gallon will be needed. Mr. Colello answered; 400 gallons per minute was recorded in 1988 and has no other information. Mr. Kelso added; the project may need 10 gallons per minute at 14,000 per day.

Resident; Joseph O'Malley of Rogers Road questioned if additional occupants have been found for the retail use. Mr. Murphy indicated no additional occupants have been found. There has been a great deal of interest. However because of the uncertainty surrounding the site, no contracts have been drawn.

Resident; Mr. Bingler questioned if there has been a discussion regarding renaming the proposed site to Pavilion at Furlong. Mr. Murphy indicated the title of the proposed site has been changed to the Pavilion at Furlong.

Resident; Mr. O'Malley questioned what are the next steps of the proposed site plans. Ms. Hendrixson answered; the plans are in the sketch plan phase where the next steps is the Planning Commission will make a recommendation to the Board of Supervisors. The process will be very lengthy before development can begin. Mr. Murphy added; there are plans to meet once again with the Board. If approval is provided, the land development process will begin.

Upon a discussion amongst the Commission regarding the land development process, resident; Ann Woodbury of 680 Spring Valley Road questioned; at what point of the process are the trees currently on the property will be replaced. Also, when will the trees be re-measured to account for the outdated calibrations? Ms. Stern Goldstein answered; it depends on how the proceedings continue. The last noted land development plan was submitted approximately in August of 2011 or 2012, where all tree calculations were submitted. The current plan is a

continuation of the previous where all records remain. If the plans are submitted as new, then the tree disturbance will be recalibrated, but has yet been determined.

Mr. Lowenstein commented with regards to the parking spaces and assisting reducing the imperious surface. The calculations were not within the zoning regulations and whether the applicants are asking for 45% or 46%. He is unsure if 10x20 is a desired size. He then questioned how much was saved in making the spots larger. Mr. Mills was not completely certain of the amount, but the plans are approximately an acre less than other options.

Ms. Stern Goldstein added; if the plan noted 100 spaces that were reduced a foot in width will equal an half of acre in reduced paving.

In the form of a motion by Mr. Kelso the Doylestown Township Planning Commission request the Doylestown Township Board of Supervisors consider moving forward with the acceptance of the proposed plan for Pavilion at Furlong based on the proposed sketch plan dated July 10, 2015 for the following reasons...

- 1) The current sketch plan resolves or greatly diminishes the esthetics environmental and traffic conflicts noted in the earlier plan submissions, which proposed meeting current zoning requirements both the limited industrial C1 Districts.
- 2) We believe the proposed traffic circulations plan with the narrow one way access into the property off Swamp and Rogers Roads provide reasonable protection for the existing residential neighborhood, while still providing emergency access into the property.
- 3) We believe the proposed uses in the current plan are needed in the nearby community and fit with the intent of the C1 District as contemplated in the townships comprehensive plan.
- 4) The narrow trail along York Road of the eight foot width proposed fits with the intended use of the trail as a connector to the neighborhood and not as part of the recreational trail system.
- 5) The current proposed imperious coverage of 45%, while it remains in conflict with the current zoning requirements is less than the 50% allowed if they were to use transfer development provision and less than 50% allowed for example: in the Village Commercial district. It is also significant less than what is allowed in the C4 shopping center district.

Mr. Kelso commented there are number of items that will be shown with the current plan that might cause a review of the township's zoning ordinance both in restrictive and non-restrictive for commercial development. It will not be an unreasonable revision to the zoning ordinance for future consideration.

- 6) The proposed landscaping and buffering provides a maximum buffer to the residential district while minimizing buffers to other adjoining properties where buffers are not required in the industrial use.
- 7) Reduction of the building sizes are more in keeping with the intent of the C1 District.
- 8) The Planning Commission supports in general the proposed waivers and variances identified at this stage of plan development.

Mr. Lowenstein seconded the motion with an amendment to add the 10x20 parking stales size become more desirable. Mr. Mills agreed.

A resident questioned if the public is allowed to participate in the amendment and commented he doesn't believe the Commission should make a recommendation to the plan in comparison with C4 and should stand on its own merit. The site is not zoned for C4 and noted a reference the plan is less built up than previously submitted. Mr. Kelso responded; his reference to the previous plan was based upon when limited industrial use was proposed and commercial. Mr. Lowenstein added; the current plan is more applicable and provides a compromise for the residents and owner of the property.

Resident; Debbie Mason questioned what is the responsibility of the township and police department with regards to the right hand only turn off of Rogers Road. Additionally, what cost will it be to the township. Mr. Lowenstein answered; the police will conduct surveillance of the area and monitor should a major problem occurs.

Motion Carried 4 to 0.

### **Bray / Long Sketch Plan**

Edward F. Murphy, Esquire of Wisler Pearlstine, LLP introduced Mr. John Dean and Mr. John Crabtree of Toll Brothers who have an agreement of sale to purchase two adjacent properties along the Bray and Long Tract with a combined total of approximately 57 acres with frontage is located on both Lower State and Bristol Roads. The sketch plan identifies a proposed subdivision with a principal access off of Bristol Road and 41 proposed lots that average 22,000 square feet. However, the lots may be closer to 28,000 square feet.

The plans comes with some issues as the plan proposes current zoning be modified from R1A to R1 District. Another significant issue is it incorporates a request made to the applicants from the township through the Bucks County Water and Sewer Authority to create or add a lot to accommodate a pump station which will enable public sewer to the extend service.

The plan will also consider B9 lot averaging provision of the ordinance. Considering comments under Boucher & James, Inc review letter of July 22, 2015 regarding the R1 zoning district regulations issues. Mr. Murphy noted the applicants have no issues with comments made in the letter. Additionally, the pump station designation has been marked, but will need guidance from the Bucks County Water and Sewer Authority (BCWSA) and township engineers. Mr. Kelso questioned how the waste water gets into the site from the pump station. Mr. Murphy was unsure of the route, but may have to run from Bristol Road to Lower State Road. Mr. Kelso noted the pump station is in an odd location and there may be an opportunity to place at the end of the site's cul-de-sac. Mr. Murphy indicated the plan was forwarded to the BCWSA for comments.

Mr. Kelso questioned if the old home located in the corner of Bristol and Lower State Road is being demolished. Mr. Murphy indicated yes.

A resident at Lower State Road commented the site proposes very large homes that are not environmentally sound and surrounded by two large flood plains. She then questioned where water would come from to service the proposed usage, people and black top. Mr. Kelso responded; public water will be provided.

Mr. Lowenstein commented many of the homes, especially along the back of the site are on very steep slopes. Mr. Murphy indicated he is aware of the issue and will be further vetted by Ms. Stern Goldstein and Township Engineer; Mario Canales. Mr. Kelso noted another step required to identify the number of units. Mr. Murphy agreed and indicated the township ordinance requires an engineer's sketch to demonstrate the by-right unit. Tonight is the first public review meeting in which the plan still has a long way to go.

Mr. Kelso noted some positive aspects of the plan as no units situated off Lower State Road, one emergency access on Bristol Road and it's not a site that has a high visibility in terms when driving by. The flexibility of the zoning is also positive for the proposed site. However, there are many environmental constraints noted and suggested the Planning Commission conduct a site visit. Mr. Murphy offered to place stacks along the site prior to the visit, such as along the main entrance and identify limited disturbance the lots may have. Mr. Kelso would like to view the existing tree line along Bristol Road and difference of elevation between the roads. He commented how he doesn't see how it will work with the trail. Mr. Murphy requested to highlight a list of features to be stacked out along the site.

Mr. Kelso indicated the site has a potential to view other storm water management practices in terms of the existing water way and restoration. There should be a best management practice that allows for extreme restoration and stabilization to control rate and quantity.

Resident; Linda L. Urie of 1502 Lower State Road commented on new water problems that stem from new construction prior to the proposed sketch plan. The new site has a potential to house over 130 people and she has concerns with black top and run off. Ms. Hendrixson answered; one of the requirements is the applicants is to abide by the township regulations with storm water procedures before plan approval.

Resident; Charles H. Urie of 1502 Lower State Road requested to have the location of the pumping station be placed on the list of items to review by the Planning Commission during the site visit. Mr. Kelso confirmed the location of the pumping station will be on the list for review. Ms. Mason added; she will contact Gilmore & Associates to also have the pumping station reviewed.

Mr. Kelso suggested to have the Bike and Hike Committee review the plans for a bike and hike trail off Bristol Road. He also suggested in speaking with Warrington Township to potentially work together.

Resident; Bob Tumelty of 3443 Bristol Road questioned if the entrance of the proposed site will be across from Timber Lane. Mr. Kelso answered; the entrance will be located further down from Timber Lane. Mr. Tumelty then questioned if traffic studies have been completed. Mr. Kelso indicated no traffic study have been completed to date. He recognizes the traffic issue during the early rush hour back up. He then suggested a focus traffic study be conducted.

Mr. Tumelty questioned the status of the retaining basin near his property. He commented on how Warrington Township replaced the pipe where the flows comes out in Doylestown Township. Mr. Kelso answered; the issue will need to be addressed by Warrington Township. However, the commission will have a conversation with Warrington Township on how to improve certain areas and the community. One of the major issues to discuss is the sewer pump station. Mr. Tumelty then questioned where the sewer from the proposed site will be pumped to. Ms. Mason answered; the flow will go to the Castle Valley connector before entering Kings Plant which then flows to the Green Street plant.

A resident off 1516 Lower State Road suggested placing an access across from Timber Lane to the slopes coming down Bristol Road due to problems during the winter time. With the 80% percentile may be too great at the current location. She would also like to thank the applicants for placing trails to promote connections. She then suggested placing a left turn lane on the southbound approach of Lower State Road and the east bound approach of Bristol Road to assist the intersection. Mr. Kelso agreed and will like to discuss further after the site visit.



Mr. Urie questioned if the company who conducts the flood plain studies interview the neighbors. With the pumping station proposed to be placed next to neighboring residents, if would be fair to receive feedback. Mr. Lowenstein indicated the pumping station and flood plain are two separate issues. The flood plain studies are not conducted locally. Mrs. Urie commented how she would like to see the local wild life preserved that diminished since the construction of new homes.

Mr. Murphy indicated he will coordinate and schedule the site visit for the commission.

A resident off 15 Neshaminyville Drive noted on Bristol Road where the existing entrance near the Long's property is a bump in the road that needs addressing, where it becomes a blind spot for vehicles.

Mr. Urie questioned if the neighbors will be notified of the next meeting regarding the proposed site. Mr. Kelso answered all meetings are noted on the township's website. Ms. Mason added; if the applicants submits a preliminary plan, notices will be forwarded to all neighboring residents.

Mr. Kelso notified all site visits are open to the public and is a good opportunity to point out issues to the Commission.

**90 Day Clock:**

Ms. Hendrixson questioned the status of the Half Tract. Ms. Stern Goldstein and Ms. Mason indicated the plan is considered as amended and final land development plan with no action required.

Ms. Hendrixson then questioned if any plan applications have been submitted. Ms. Mason reported the Board of Supervisors turned the recent Wawa application. However the plan is still active and currently on the 90 day clock. A revised plan can be submitted by September of 2015.

Ms. Mason reported an ICMA training webinar is scheduled for August 13<sup>th</sup> in her office at 1:00pm.

The Commission agreed to schedule the next Workshop Session to review the Signage Ordinance during the August 24, 2015 Regular meeting, unless a plan development is scheduled.

**Adjournment:**

The June 27, 2015 Doylestown Township Planning Commission Regular meeting was adjourned at 8:42 p.m.