

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

April 25, 2016

The Doylestown Township Planning Commission Regular Meeting was held at 7:00 p.m., Monday, April 25, 2016 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 and member; Edward Redfield. Others in attendance included, Township Manager; Stephanie J. Mason and Board of Supervisor Liaison; Richard F. Colello.

Absent: Planning Commission Members; Ed Harvey and George Lowenstein

Absent: Township Planning Consultant; Judy Stern Goldstein. Ms. Stacey J. Yoder, AICP of Boucher & James, Inc. was present in Ms. Goldstein's absence.

Minutes:

In the form of a motion by Mr. Redfield; seconded by Mr. Kelso, the March 28, 2016 Doylestown Township Planning Commission Work Session minutes were approved.

Motion Carried 3 to 0.

Comments: No comments

Callan – Sketch Plan

Nicholas T. Rose, P.E of Protract Engineering addressed the Commission and provided an overview of the Callan Sketch Plan as to construct a private street that will come in approximately at 400 feet. Applicant; Dave Callan's lot will be located in the back and as one lot with two separate lots nearby. Mr. Callan's lot is approximately 7 acres with the second lot at 1 acre and third at 2 acres. It's also proposed the existing tract will be separated into three separate lots.

Upon meeting with the Doylestown Township staff, positive support of the proposed plan was received and a sketch plan was recommended for Planning Commission and professional contractor reviews.

The property is located in a R1 Residential District with a B1 under the single family use. Mr. Callan also owns the existing second house on the property where an existing driveway serves both homes.

Ms. Hendrixson questioned if the proposed street will serve the existing driveways. Mr. Rose indicated yes and the applicant is proposing to widen the street to 20 feet with a turn around that will support fire emergency vehicles. Although there is a full bulb located at the end of the private street right of way, a cul-de-sac will not be proposed.

Mr. Kelso requested clarification on Lot 3 and if the driveway will be shared. Mr. Rose indicated yes under the lot use dwellings with an existing driveway. An easement is also present and serves both properties. As a result, Lot 3 will take access of the common driveway.

Mr. Rose reported; several waivers pertaining to private street and construction requirements will be requested. Due to the tract only supporting two lots, a smaller common driveway will make better sense. Other waiver requests will be for additional improvement needed along Easton Road and a bike path.

Ms. Hendrixson questioned if the site will provide on-site septic. Mr. Rose answered; wells and private sewers will be proposed. He added; the lots are compliant with zoning pertaining to width and rear yard setbacks. The applicant received several review letters from township professionals and will comply with all comments with no variances requested.

Public \ Commission Comments:

Resident; Gary Nice of 2116 S Easton Road questioned if the existing driveway will remain. Mr. Rose indicated yes. Mr. Nice indicated his adjacent property has a 12 foot right of way that runs behind the applicants' property. Mr. Nice commented since construction began, the well on his property tested contaminated with fecal coliform.

Resident: Patricia A. Claus of 51 Warden Road commented on her conversation with Township Zoning Officer; Sinclair Salisbury who informed the applicant was only scheduled to construct a new home with no other improvements proposed. She then indicated the well on her property also tested positive for fecal coliform and is concern the proposed site will cause additional problems.

Mr. Rose responded; the applicant applied for a building permit where only one home was proposed. For the past year and a half, the plans have amended to include an additional home. Ms. Mason added; when Mr. Callan first bought the property approximately fifth teen years ago, a land development subdivision was submitted to build 15 homes where the plan never came to fruition. At this time, there was only a building permit application submitted for one house. Since the building application, the applicant built a new home and submitted a new application for a subdivision. The information Ms. Claus received from Mr. Salisbury was correct at the time.

Resident; Jedd Salvesen of 99 Warden Road commented on the drainage problems to his home caused by the applicants site. Mr. Salvesen explained; a large amount of water flows down his driveway during and after construction. He believes the problem began when the applicant removed a large amount of vegetation from both sides of the property. In addition, the proposed septic system will run through his property and has concerns for the safety of his children. Ms. Hendrixson responded; the drainage issues will be reviewed during the full engineering site plan evaluation. The applicants will be required to handle all on-site water.

Resident: Carol Dengler of 87 Warden Road agreed with Mr. Salvesen's comments regarding water flowing onto the driveway. She added; a mound was constructed, but only catches a portion of the flow. The remaining water runs through both her and Mr. Salvesen's driveways towards homes located on the other side of Warden Road. She then voiced concerns with additional vegetation being removed that will cause more water flow. To date, a total of five acres of woodland has been destroyed. Lastly, Ms. Dengler reported her well is also contaminated. Ms. Hendrixson responded; the Township has very strict regulations regarding vegetation, trees and drainage where all will be reviewed during the engineering process. Mr. Kelso suggested any resident who has a contaminated well contact the Bucks County Health Department to perform a survey of polluted water.

Mr. Kelso provided the public with a brief description of the land development process and commented on three issues. First; as a tradeoff for the private street, the township normally requests the land be deed restricted to provide a covenant for further subdivision. Second; Lot 3 should have access off the best street possible. With State Road,

the access points should be minimized. The 20-foot-wide private road will make the two access off Lot 3 more desirable, where Mr. Kelso commented he doesn't understand why it wouldn't happen. However, he doesn't see a major issue where curbs on a private street not required. Lastly; a discussion is needed regarding a bike path along the front of the property. Especially with the adjacent Tabor House proposing building a community of 21 homes. The trail will typically be proposed as a 10-foot-wide pathway.

Upon a discussion amongst the Commission and public regarding land development procedures, Mr. Rose thanked the residents for their comments and indicated the topography will be reviewed. He also reported the proposed subdivision is low impact. Ms. Dangler commented; in addition to the loss of trees since the construction, the community has also lost a majority of their wildlife to include, turkey, foxes, birds and deer.

Resident: Joan M. Hilderly of 63 Warden Road questioned should residents who have contaminated wells bring certificates to the next meeting. Mr. Kelso answered; the materials will not influence the development. Fecal coliform in wells is a serious problem and probably not caused by the proposed development. He strongly recommended all contaminated wells be checked and samples retrieved to locate the source. Ms. Mason offered to contact the Health Department to schedule a site visit. Mr. Kelso reported; if the Tabor House moves forward with its development, a public water connection will be available. Mr. Kelso also recommended the Planning Commission conduct a site visit.

Mr. Redfield suggested the residents meet separately to create a letter of their concerns for the applicant's review. Mr. Rose agreed and indicated he would like to be made aware of drainage issues. Ms. Mason suggested a private meeting between the residents and applicant also be scheduled. Mr. Colello added; the residents should be provided either a business card or contact information from Mr. Rose.

Proposed resident of Lot 2; Damian LaRosa addressed the public to explain he and Mr. Callan would like to review any issues or concerns. Mr. LaRosa indicated the development will be small, where he will occupy one home with his family. Mr. Callan has no immediate plans for Lot 3 and is unknown if further construction will be proposed. Mr. LaRosa then informed; Mr. Callan is not opposed to a deed restriction for future development. Both he and Mr. Callan will address all concerns in order to become a good neighbor.

Proposed Ordinance Amendment – Phase 1

Upon reviewing Township Planning Consultant; Judy Stern Goldstein's April 7, 2015 Zoning Amendment memorandum, Mr. Salisbury stated he is pleased to see updates of the amendment and suggested the following changes ...

Section 2, Article IV, Use Regulations of Section 175-16.B(11) the B11 definition should be revised to eliminated possible discriminating language.

Section 7, Article IV, Use Regulations of Section 175-16.H(6)(t) the language as amended should be added to the Pennsylvania Uniform Construction Code (UCC) quoting any type of regulation.

Mr. Colello requested clarification regarding the word "Family" in Section 1, Article II, Definitions, Section 175-9. He questioned the definition stating any group of individual related or unrelated is a direct quote from the Fair Housing ACT. Mr. Salisbury responded; family can be recognized has a married or un-married couple. Ms. Yoder clarified;

the definition is acceptable from the Fair Housing ACT. Ms. Hendrixson added; the definition as stated allows how a group home can exist. Ms. Mason indicated the Township Ordinance records family as a “individuals, including domestics, living together in a single dwelling and maintaining a common household. A roomer, border or lodger shall not be considered a member of the family.”

Upon a discussion amongst the Commission regarding how the definition of family can be defined, Mr. Salisbury offered with the assistance of Boucher & James to review the section and provide a source of the language.

651 N Shady Retreat Road – Project Update

The Doylestown Township Planning Commission agreed by consensus and do not object to have applicants at 651 N Shady Retreat Road request a 90 day extension beginning May 10, 2016 from the Doylestown Township Board of Supervisors.

Septa Meeting Update

Ms. Hendrixson reported on the recent meeting she and Mr. Kelso attended with Septa and New Britain Borough regarding a proposal from Economic Development & Revitalization Consultant; Steve Barth to have the Delaware Valley University Train Station moved to Butler Avenue. The relocation of the train station is part of Mr. Barth's proposal is to revised State Road as a college town. The meeting ended with Senator Charles Mc Ilhinney suggesting Mr. Barth have total agreement of the plan from Delaware Valley College and Septa, prior to the next presentation.

Cross Key Update

Ms. Mason reported Bucks County Chief Clerk; Lynn Bush met with township managers of four municipalities to provide an update of the Cross Key study. Additionally, public meeting is scheduled to be held during the summer of 2016.

Select Date for Planning Commission Work Session

The Doylestown Township Planning Commission agreed to hold the next Work Session during the Monday, May 23, 2016 Regular meeting.

Adjournment:

Hearing no further business, the April 25, 2016 Doylestown Township Planning Commission Regular meeting was adjourned at 8:18 p.m.