

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

June 27, 2016

The Doylestown Township Planning Commission Regular Meeting was held at 7:00 p.m., Monday, June 27, 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 members; Ed Harvey and George Lowenstein. Others in attendance included, Township Manager; Stephanie J. Mason, Board of Supervisor Liaison; Richard F. Colello Township and Planning Consultant; Judy Stern Goldstein.

Absent: Member; Edward Redfield

Minutes:

In the form of a motion by Mr. Kelso; seconded by Mr. Lowenstein, the May 23, 2016 the Doylestown Township Planning Commission Regular meeting minutes were approved.

Motion Carried 4 to 0.

Comments: No comments

Enclave at Town's Edge – Preliminary Land Development Plan

Richard Zaveta of Zaveta Custom Homes explained the Town's Edge property is along 3 acres of land and two years ago, it consisted of only six units. With the recent market conditions, the plan had to be reconstructed as a created use under the B5 District with twelve condominiums. The structure is presented as a reproduction with natural features and reused stones from the original home and barn. The new plan will also include side yards with transitional grading.

To accomplish this, the existing stone house will be demolished and stones reused with the new structure. The existing barn will be cut down to a lower level and the spring house redesigned. The spring house will be restored and a community area will be added. The community area will have outdoor cooking and gardens along the open space. The timbers of the barn and planking will also be repurposed in the new structure.

As Mr. Zaveta referenced a rendering of the proposed plan, it showcased the back of the site having parking with arched openings, similar to a bank barn. There are two indoor parking areas for each unit located under the structure. Twenty-four additional parking lots are located outdoors. With 12 in and 12 out parking area, there is no view of the parking when looking in from Lower State Road.

The new plan offers less impervious surface and has not exceeded township requirements. The freed up side yards, providing a traditional grade and redesigned landscape buffer assisted with the decrease. Mr. Zaveta concluded; the new plan respects the site, resources and provides a need for single floor living at 2,000 square feet.

Greg R. Glitzer, PE of Gilmore & Associates Engineering reported; all review letters from township consultants were reviewed and the applicant will comply with most comments with the exception of one from Pennoni & Associates. In the June 20, 2016 review letter, stripping the driveway was referenced where the applicants will be requesting relief from a traffic requirement to supply no parking signs. The intent is to keep the driveway open at 24-foot-wide and parking cannot be accommodated.

The current plan has sufficient onsite parking resources with twenty-four spaces, not including the two additional indoor spaces for each unit with dedicated storage area. Mr. Zaveta added; each, individual storage area will be located in front of the garages. Mr. Glitzer noted; a discussion regarding clarification of accessibility ramps is needed with Codes Enforcement Director; Sinclair Salisbury.

Ms. Hendrixson questioned if there is a central entry or will each will unit have their own. Mr. Glitzer answered; there are three main, common entries as one in the front, back and side of the building. Upon Ms. Stern Goldstein question, Mr. Zaveta explained how residents will enter the building through the first floor main entrance and the lower level will access to the back entrance. There is a secured elevator and common stairwell. The common stairwell connects to the first and second floors. There is an additional elevator and stairwell on the side of the building as a means of access from the lower level.

The ground level of the plans shows an access with an elevator to the first floor. The stairwell will be open and switch back from the basement, first and second floors. As a result, four units will take access from one of the T and eight units take access from other. Mr. Zaveta clarified; there will be a total of two elevators and two set of stairs servicing all three floors. Ms. Stern Goldstein questioned if mailboxes are internal in both areas. Mr. Zaveta indicated yes.

Ms. Hendrixson questioned the status of the proposed crosswalk to across Lower State Road. Mr. Glitzer indicated the crosswalk was deferred from the previous plan. Michael Baker Engineering was to review a connection to the end of the block off Chestnut Grove. Mr. Glitzer then requested further direction.

Mr. Kelso questioned if a highway occupancy permit has been obtained. Mr. Glitzer indicated yes and was obtained during the previous plan. Mr. Kelso then questioned if a crosswalk was requested at that time and if the applicant is committing to one. Mr. Glitzer answered; if the crosswalk can be constructed on site, a commitment can be made. There was a question to have the crosswalk placed somewhere at a stop sign or near the entrance of a nearby community. Ms. Stern Goldstein commented; during previous discussion, there was a strong desire to have a crosswalk at Chestnut Grove. Mr. Kelso suggested to show a crosswalk on the plan so it's not missed in the future. If the applicant is not willing to construct a crosswalk off the site, one should be provided for the residents. Mr. Kelso explained; when the original tract was developed and sidewalks placed, the roads were widening by approximately three feet. Mr. Glitzer questioned can a mid-block crossing be considered instead. Mr. Kelso agreed. Mr. Kelso then noted; along with a bump out, cross walks will also assist with traffic control. Mr. Zaveta agreed to review options, prior to the final plan.

Mr. Kelso noted the abrupt curve with the proposed yellow lines and suggested a center line be added to the first part. It will also assist with movements to the entrance.

Mr. Glitzer reported; the number of waiver requests have been reduced with one minor addition regarding grading inside an existing storm drainage unit. The waiver is requested for the construction portion with earth disturbance.

Resident; Anne M. Boschetto of 2387 Lower State Road questioned; where is the storm drainage issue located. Mr. Glitzer answered; The storm water will consist of an underground infiltration basin located underneath the parking lot. Upon referencing the renderings, Mr. Zaveta added; there will be no visual storm water that will affect their home. There is also an additional space on the side of Ms. Boschetto home from the proposed storm water system that will not press against the property. Mr. Glitzer indicated the outfall point remains at the existing headwall and flows down to the swale along the railroad track. The headwall will also be renovated and no additional storm water will be added to the property.

Resident; Robert A. Boschetto of 2387 Lower State Road questioned; what type of buffering will be utilized. Mr. Glitzer answered; heavy buffering will be provided as a mix of evergreen, shade trees, flowering trees and shrubs. The goal is to create a natural hedging. Mr. Boschetto then asked how much grading will be completed. Mr. Zaveta answered; the running structures will be perpendicular and site balances will be even with limited disturbance. Where the garages are entering into the back of the parking area, there is a natural grade. The grading begins at that area and he worked backwards to achieve the height that were not going through heavy earth moving. Mr. Glitzer added; all vegetation was identified as limited disturbance and being retained.

In the form of a motion by Mr. Kelso; seconded by Mr. Lowenstein the Doylestown Township Planning Commission recommends the Doylestown Township Board of Supervisors approve applicants; Enclave at Town's Edge proposed Preliminary Land Development plan with the understanding the applicant has agreed to comply with comments noted on review letters from Bucks County Conservation District dated March 4, 2016, Michael Baker International dated May 13, 2016, Doylestown Township Codes Enforcement Director; Sinclair Salisbury dated May 31, 2016, Pickering, Corts & Summerson dated June 1, 2016, and Boucher & James, Inc. dated June 22, 2016 with the exception of the recommendation noted on Pennoni & Associates dated June 20, 2016 regarding the no parking signs and stripping at the entrance road. The Planning Commission recommends the first 30 feet of the road have a center strip to better delineate the lanes, but not the entire road and parking signs. The Planning Commission recommends the applicants explore options for traffic calming along Lower State Road and replacement of a mid-block pedestrian crossing to access the regional trail off the other side of Lower State Road. Further, the Planning Commission is in agreement with the approval of the applicant's waiver requests.

Motion Carried 4 to 0.

651 N Shady Retreat – Revised Preliminary Land Development Plan:

Edward F. Murphy, Esquire of Wisler Pearlstine, LLP explained since meeting approximately six months ago, the plan has been revised and resubmitted. The plan is a cul-de-sac serving 4 lots along a private street at 26 feet wide and effectively on a one-way road. Single lots will be located on one side of the property.

In the June 20, 2016 review letter, Pennoni & Associates recommends no parking signs be posted on the opposite side of the street. The applicants indicate the request is excessive considering the configuration. In the June 23, 2016 review letter, Boucher & James, Inc. references a repeating definition issue for lot width with a building set back that will need to be addressed with Ms. Stern Goldstein. Ms. Stern Goldstein clarified; the issue is a foot note on the table dealing specifically with the applicant's one condition. Mr. Murphy agreed and indicated the plan will be further revised to either comply with Ms. Stern Goldstein's recommendation or another alternative. Mr. Murphy then reported the applicants have no other issues with the review letters.

Ms. Stern Goldstein requested a response to the several emails received regarding trees and vegetation to one of the adjoining lots. Ronald G. Monkres II, P.E. of Gilmore & Associates Engineering responded; the applicants are aware of the issue and can be resolved by pruning the area with no objections. Ms. Stern Goldstein suggested property maintenance be scheduled to care for invasive plantings. Although it's not a required buffer, but a good step in becoming a good neighbor. The applicants agreed. Ms. Stern Goldstein offered her services if the applicants would like to meet on site for additional guidance.

Ms. Hendrixson opened the floor for public comments.

Resident; Albert J. Janik of 408 Mahogany Court questioned; if the north eastern property line with the distance between the line and the corner changed. Mr. Monkres indicated yes and increased by 10 feet. Mr. Janik then questioned the status of a buffer. Mr. Monkres indicated and additional buffer will be added with dense planting as mature trees and evergreens.

Mr. Kelso questioned what will the landscape look like near the boulder on the same property line. Mr. Monkres answered; the maximum wall height will be 30 inches as natural boulders buried in a stone bed to assist with minimizing grading on the adjacent lot.

In the form of a motion by Mr. Kelso; seconded by Mr. Lowenstein the Doylestown Township Planning Commission recommends the Doylestown Township Board of Supervisors approve applicants; 651 N Shady Retreat Preliminary Land Development plan with the understanding the applicants has agreed to address all concerns noted in the review letters received from Doylestown Township Codes Enforcement Director; Sinclair Salisbury dated June 7, 2016, Michael Baker International dated June 9, 2016, Pickering, Corts and Summerson dated June 10, 2016, Pennoni & Associates dated June 20, 2016 and Boucher & James, Inc. dated June 23, 2016. Further, applicants will ensure issue with overgrown vegetation be addressed and maintenance provided.

Mr. Kelso questioned if it's the applicant's intent not to allow parking on either side of the road within the development. Mr. Murphy indicated no and explained at 26 feet per 4 lots on one side of the road, parking can be provided on the opposite side. Mr. Kelso commented; parking signs is not a Subdivision Land Development Ordinance (SALDO) requirement, but only a recommendation from Pennoni & Associates. Mr. Monkres agreed.

Motion Carried 4 to 0.

Hammerstein (Cole) \ Highland Farms Sketch Plan Update:

John VanLuvanee, Esquire of Eastburn & Gray, P.C. provided an overview of the Highland Farms sketch plans as a two hill, four lot subdivision approved for final land development in 2007 and still viable. In 2006 several variances were approved by the Zoning Hearing Board to include an impervious surface variance to allow 28.6%. Also in 2007, the property was purchased by Ms. Christine Cole and redesigned as a bed and breakfast. The original home and barn is listed under the National Registry of Historic Places. The home was previously owned by Composer; Oscar Hammerstein, where his grandson; William Hammerstein was present. In 2010, Ms. Cole and Mr. Hammerstein collaborated to create a non-profit organization; Highland Farms and redesigned the property into a museum and a proposed musical theater.

In 2014, an application was filed with the Zoning Hearing Board under a C8 Community Center as permitted under a special exception in the R1 Zoning District. The Zoning Hearing denied the application and the applicants have since filed an appeal. During the process, neighbors; Mr. Nicholas S. Molloy and Doylestown Township Country Club have intervened with the proceedings. A large portion of a 40 acres property was condemned for the Route 611 Bypass and the 4.2 acres left was sold to the Country Club.

With an appeal pending, further discussions between the parties created a third revised plan with the elimination of the theater and having the existing home and barn created as a museum. The revised plan does not propose new construction on site. However, the new plan includes a stipulation between Mr. Malloy and the Doylestown Township Country Club to be approved by the Board of Supervisors, facilitated in court for the preparation of Final Land Subdivision process. The Board conducted a series of discussions where a series of letters were received to include a recommendation to present the newest plan to the Doylestown Township Planning Commission.

The Highland Farm sketch plans consists of several ordinance requirements to include, under the R1 District for other permitted uses of a lot size of 5 acres. A variance is needed due to the lot situated along a right of way of 4.268 acres. The C4 museum use is not permitted under the R1 District and historic structure. The applicants will have proposed a stipulation to allow the use with the Zoning Hearing Board.

The sketch plan proposes the renovation of a back porch of the barn with no additional impervious surface. The only increase to the impervious will be the extension of a driveway and construction of a parking lot. As per a request by the club, parking will be minimized to minimalized impervious surface. However, there are certain design constraints to consider, such as traffic circulation for school buses to enter and exit the site. As per the township ordinance to allow for 35 parking spaces, the core area of the home was calculated with the barn and without the addition. A stipulation is proposed to have the 35 parking spaces remain with a provision to allow for valet parking. Fundraising events is requested on site. The events will be scheduled as eight-year calendar year with four conducted outdoors. Additionally, the stipulation will not be allowed to third parties.

For landscaping, the club requested a berm along the rear of the parking lot and will be design in conformity of the township's Subdivision Land Development Ordinance (SALDO). Per Mr. Malloy's request, as many trees will be maintained along the property line of their residence with the installation of a fence. To be in compliance with the SALDO, the fence will act as a supplement of buffering. Mr. VanLuvanee noted; the proposed impervious surface is at 24%, which is 2.68% less than the impervious surface on a four lot subdivision plan. Mr. Kelso questioned if the plan is not proposed as a subdivision. Mr. VanLuvanee responded the plan is not a subdivision and will abandon the rights of a four lot subdivision. Upon land development approval, the applicants will remove the subdivision and the bed and breakfast will no longer be in operation. The site will become a single use on a lot with two buildings.

Mr. Kelso questioned if there is anything in the stipulation that will prevent further subdivision. Mr. VanLuvanee indicated it does not, but will be part of the SALDO approval. Mr. Kelso suggested to add a note into the stipulation in order to avoid possible problems where the use may become unviable. Mr. VanLuvanee will address the suggestion to his clients for consideration. Mr. Hammerstein indicated under the existing subdivision, the barn is supposed to be rehabilitated into a residence. This will be unlikely due to the current condition, unless a third party agrees to take on the project. However, if within ten years the proposed plan doesn't work, the barn will be rehabilitated and could be adapted easily into a residence.

Mr. Kelso questioned was an occupancy capacity set for the building. Mr. VanLuvanee answered; not for the current use and the plan has not addressed the issue to date. The applicants are currently waiting to have a use, so

fundraising can begin. Mr. Kelso then questioned if the stipulation will note hours of operation. Mr. VanLuvanee answered; hours of operation are 9:00am until 6:00pm, seven days a week. Events are not part of the stipulation and can be conducted during evening hours.

Mr. Kelso then questioned if lighting will be covered under the stipulation. Mr. VanLuvanee indicated yes and the applicants will comply with the SALDO, with an exception for a right to propose lower lighting levels required in a parking lot. Mr. Kelso questioned if the lighting is in a result of recent actions from the applicant. Mr. VanLuvanee answered; lighting is in result of an appeal filed from a recent Zoning Board Hearing decision.

Mr. Kelso stated he is pleased with the plan and only has concerns with the stipulation not covering enough unforeseen items.

Upon opening the floor for further questions from the public, no comments were presented.

Metro Storage – Sketch Plan Update:

John VanLuvanee, Esquire of Eastburn & Gray, P.C. explained applicants; Metro Storage Sketch plan met with neighbors and Board of Supervisors to introduced the plan. Recent changes include, detailed engineering has been ordered and site statistics, natural resource percentages, impervious calculations and feasibility of storm water management were confirmed.

Currently there is an agreement between the Board of Supervisors and the company which owns the existing billboard located on the property. The property has undergrowth and remnants of buildings previously utilized on site, which assumes most of the impervious surface. The existing owners; Mr. Carosi was issued a permit in 1974 that permitted landscaping and excavating use. However, the permit has insulated from any further action. The site was recently occupied with greenhouses, where many still remain since 1971. Also, Penn Dot condemned a larger part of the frontage to include a wide driveway, where film materials were placed and resulted in the current topography.

Due to the history of the site, Bohler Engineering conducted an evaluation and found the property has man made steep slopes, flood plains, riparian buffers and some woodlands. Upon the evaluation, the net billable site area will be 1.61 acres. 56% of the existing net billable site area is currently impervious surface. The township requirement is 40% under the C1 District. The proposed plan is 95% net billable site area, but at 50% of the overall site. Additionally, building will be completed on property that has been previously disturbed. Existing storage buildings are located over the property line and became non-conformities. There are additional non-conformities located on the front side rear yards in the form of building setbacks. The plan is not proposed to come closer to the property line, but a number of interpretations will be presented to the Zoning Hearing Board. The proposed building is estimated to be 95,000 square feet of which 66,000 is rentable space. The proposed use is quiet with very little traffic. Metro Storage will also be a good neighbor with operating hours not exceeding 10:00pm and access with keypads. Security lighting is proposed and parking will be sufficient with no issues. A landscaping plan is being developed to include screening.

Upon a question from Ms. Stern Goldstein, Ms. VanLuvanee showcased the current sketch plan as essentially the same plan with some modified dimensions. Mr. Eric Britz of Bohler Engineering added; the building will be located in the same area as proposed with ten parking spaces. Two spaces have been moved from the front to the left hand side of the building. Mr. Britz further explained, a meeting with the Township Engineer; Mario Canales and Bucks County Conservation District was conducted to review storm water concerns and storage options. As a result, a

feasible agreement was made on how to proceed with the storm water issues. Mr. VanLuvanee reported; a meeting with Penn Dot is still pending to determine a proposed right in, right out access from the existing location. Another issue is to review the existing billboard facing southbound from Easton Road. With a three story building in the back and a one story building in the front proposed, the billboard will affect visibility.

Mr. Kelso questioned if the billboard company lease or own the right. Mr. Britz indicated the billboard company owns the right to place the billboard as part of an easement. Mr. VanLuvanee added; the township entered into a stipulation regarding height and dimensions.

Ms. Hendrixson questioned where will the storm water be located on site. Mr. Britz answered; with a hundred-year flood plan, the site first had to be brought up to hold the storm water back and provide water quality features. An underground basin is proposed along the left hand side of the site with amended soil for the green areas to assist to promote infiltration. Inserts into the inlets to improve water quality will also be proposed. Upon Mr. Kelso's questions, Mr. VanLuvanee indicated soil and water quality testing were completed and results showed both as clean per state agencies. Mr. Britz added; to have the water flow towards the stream where the rights no longer allow it, creative ways were developed to work with the regulations and promote infiltration. The system will act as an extended retention basin with a small under drain. With the issue of storm water coming from Duane Road through a swale off the property line, a buffer will be considering to work with the swale will be a challenge. Additionally, the township has a ten-foot easement along the property line. Mr. Lowenstein questioned if the soil studies will be submitted to the township. Mr. VanLuvanee agreed.

Resident; Jonathan Demalta of 30 Duane Road disagreed with the statement of clean soil testing by indicating while present during the testing, he saw oil and gasoline sitting on the site ten feet down. He also requested to view the results of the soil testing. Mr. Demalta informed the commission that he is the owner of the easement and will not allow access. If the easement is scheduled to be use, it will cause very serious security problems to their property. The easement is thirty-five feet and will run to the front door of the existing home. Mr. VanLuvanee clarified; the recorded easement is an access to the egress and ingress and runs with the property. The use is limited and considered overuse of easement for the applicant's parcel.

Mr. Kelso questioned if there is a well located on the applicant's property. Mr. Britz indicated one well currently on the property. Mr. Demalta confirmed there is one active well on the property, but has not been used in many years. Mr. Britz stated; twenty-two monitoring wells were recently closed. Extensive phase one and two soil testing was completed and has gone through various legal testing as well. Mr. Kelso recommended public water connection be provided for fire protection. Mr. Heilman indicated only 3,000 gallons of water is used on the site and public connection is not feasible.

Resident; Cynthia E. Friel of 47 Duane Road stated she was contacted by the Department of Environmental Protection (DEP) in 1996, because of recent digging to the Carosi property that found several barrels of unidentified materials. DEP tested all the homes adjacent to the property. Her property was last tested approximately ten years ago. Mr. Demalto indicated asbestos was found during the testing Ms. Friel was speaking of. This was due to much of the property is backfill. Ms. Friel also indicated she has seen oil and gasoline on the site. She then stated the proposed site is welcome and will improve the area. Mr. Demalta agreed.

Resident; Kimberly Arrow of 50 Duane Road commented on her concern for the safety of the children. With the garage doors, she is concerned with the traffic of strangers close to her yard.

Resident; Mr. Bishop of 53 Duane Road indicated the applicants informed no outdoor units will be located near the west access. Mr. Heilman responded; there is outdoor access with intense buffering between the properties. He then indicated installing a fence is not opposed. Ms. Friel requested the fence not be rod iron. Mr. Kelso provided the residents with an overview of the land development process, where the applicants will need to address the Zoning Hearing Board first. Should the sketch plan be approved, fencing and buffering will then be discussed.

Resident; Mr. Bishop questioned if the Neshaminy Greenway access was discussed. Mr. Kelso answered; the subject was discussed and will need to be explored further. Mr. VanLuvanee indicated the applicants are happy to cooperate and is a question of feasibility. However, upon further review, access maybe impossible on one side of the creek. The creek will need to be crossed and Penn Dot acquired approximately 40 feet of legal right of way, which the building is sitting on.

Resident; Paul Dinella of 65 Duane Road questioned if the applicants are still waiting for approval from Penn Dot. Mr. VanLuvanee stated; they are not currently waiting for a formal approval from Penn Dot. An initial submission was completed to proceed with traffic and Penn Dot is currently reviewing the studies. The process is very lengthy and may take a while.

Resident; Ms. Friel questioned; if the main entrance is still proposed off Route 611. Mr. Heilman explained; full access is planned to be off Easton Road. There is also a left hand turn lane going into the facility from the south. All access is currently being researched with Penn Dot. There is an easement to Duane Road that will be secondary. It's preferred as a second means of egress. There will be no storage vehicles utilizing Duane Road. Mr. Bishop questioned if the access can be temporary blocked with "do not enter" signage. He indicated, it's too early in the planning to determine signage.

Resident; Mr. Demalto questioned how can the community receive more information on public water connection. Mr. Kelso answered; a discussion at this stage is necessary where the Municipal Authority should be involved. The situation provides a good opportunity for the applicants and township to work together.

The Commission informed the residents notification of all scheduled meeting pertaining to the Metro Storage Sketch plan will be forwarded and posted on the township's website. The residents can also contact the Administrative offices to receive a schedule.

Ms. Mason questioned; how far out is an official application to the Zoning Hearing Board will be submitted. Mr. VanLuvanee indicated an application will be submitted between 30 and 45 days.

Adjournment:

Hearing no further business, the June 27, 2016 Doylestown Township Planning Commission Regular meeting was adjourned at 9:05 p.m.