

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

March 25, 2019

The Doylestown Township Planning Commission Work Session was held at 7:00 p.m., Monday, March 25, 2019 at Meeting/Activity Trailer, 425 Wells Road, Doylestown, PA 18901. Members of the Doylestown Township Planning Commission in attendance included Chairperson: Judy Hendrixson, Vice Chairman; Gregory Reppa. With members, George Lowenstein, Ted Feldstein and Thomas Kelso. Others in attendance included, Township Manager; Stephanie Mason Board of Liaison: Richard Colello and Township Planning Consultant; Judy Stern Goldstein

Review of Minutes:

In a form of a motion by Mr. Kelso, seconded by Mr. Feldstein the February 25, 2019 Doylestown Township Planning Commission Regular meeting minutes were approved.

Motion Carried 5 to 0.

Public Comment: None

Brooks Tract | Preliminary Land Development Plan

Joseph M. Blackburn, Esq of Wisler Pearlstine, LLP addressed the Commission to discuss the Brooks Tract Preliminary Land Development plan as three continuous parcels with frontage along Cherry Lane. The site consists of twelve acres and located in the R1 District for residential zoning district. The properties are presently improved as a single family dwelling unit with the balance of the site operating as a nursery. The applicant is proposing to reconfigure three lot lines. Lot one will retain the existing family dwelling and create four new building lots. Lots two and three will take access from Cherry Lane as a shared use driveway. Lots four and five will take access from Pine Crest Lane via a low impact, low flow, single use driveway. Several meetings were completed with township staff and professionals and receipt of various consulting review letters. Mr. Blackburn reported; the applicant will comply with all comments with exception of waivers to be requested.

Mr. Reppa questioned; was the plan previously reviewed as a sketch plan. Mr. Blackburn answered; the applicant only presented the plan to the township staff.

Mr. Blackburn reported; the plan includes land swap regarding a strip of land along Pine View in exchange of a corresponding exchange plan. This is due to two lots not having frontage and only a five foot strip along a dedicated right of way that extends to a property line. The property owner has been contacted and the land swap agreement indicates the frontage will be obtained to create a driveway along Pine Crest. Mr. Reppa questioned; if the land swap agreement is contingent to the land development agreement. Mr. Blackburn indicated yes.

Mr. Lowenstein questioned; if another entrance access was considered. Mr. Blackburn answered; the other possible entrance has extensive woodlands and the width of the existing road is right up against the property line. Ms. Hendrixson questioned if the entrance is a part of lot four. Mr. Blackburn indicated yes, and the woodlands.

Mr. Blackburn continued; the applicant will maintain forest and buffer around the perimeter of the property and lot three. As a note, most of the buffering is nursery stock and not true woodlands.

Ms. Hendrixson questioned; if public water and sewer connection will be provided. Mr. Blackburn answered; both lots will be supplied with private on lot sewer systems.

Mr. Blackburn provided the Commission with Gilmore & Associates, Inc. March 25, 2019 letter identifying two additional waivers from their previous letter of March 7, 2019.

Items one and two are general planning waivers requested permitting preliminary land development as final. Additionally, showing features on the site in a radius of 400 feet, where an aerial is provided as oppose to the survey of each property. Mr. Blackburn noted; in order not to require sidewalks, curbing or widening of Cherry Lane is proposed to keep within the nature of Cherry Lane. It will also enable to keep within the curbing of the right of way.

Gilmore & Associates, Inc. Senior Project Manager; Ronald G. Monkres identified the requested waivers as ...

Items 3 and 4 | Section 153-24.B.1 and 153-24.C(2) – are interrelated to the driveway geometry and characterized together as not to require the shared use driveway to meet the criteria of a roadway. Mr. Reppa questioned; what the right of way is. Mr. Monkres answered; the right of way and the radius of the right of way is completely compliant with the SALDO criteria for the shared use driveway. Mr. Reppa questioned; if the driveway will remain private or will the township be offered an easement. Ms. Stern Goldstein answered; the plan notes as a private driveway with an easement along where the right of way would have been as a 50 foot area, so the township will acquire as an easement. However, it will not be a right of way for public street with an easement to be dedicated to the township. Mr. Kelso questioned; why the township would desire the easement. Ms. Stern Goldstein answered; to provide lot frontage. Mr. Kelso recommended the township not take the easement. Mr. Monkres added; the easement would also provide access to the stormwater due to each lot having its own stormwater and septic systems. Mr. Kelso responded; it will be safer to have noted as an agreement between two property owners and not the township. He suggested to note as a cross line with a center easement. Mr. Blackburn responded; the applicant does not have a preference between a blanket or dedicated easement and will leave the decision to the township. Ms. Stern Goldstein reminded; to make sure to note the plans accordingly.

Item 5 | Section 153-25.A(1) – a waiver is requested for sidewalks along Lot 4 and 5, fronting Pine View Drive. This is a local road which does not currently have a sidewalk. The waiver is also requested for the proposed common access driveway.

Item 6 | Section 153-25.C – the comprehensive plan calls for multiuse trail along Cherry Lane frontage, it doesn't specify which side of the road. Upon a sketch plan discussion, Michael Baker seemed agreeable to an easement arrangement along the frontages. The frontage is wooded along both locations of the site. The plan does not currently show the trail due to clearing required. However, the applicant would prefer a fee in lieu with a provision as soon as the ultimate right of way is 20 feet wide, which is more than the 15 feet required for the bike & hike path and five foot strip. It's requested to be granted an ultimate right of way as easement for the township or a 15 foot wide easement. Mr. Blackburn added; the applicant will be providing the area and the fee for the installation of the bike path, if the continuity provides. The preference is not to provide a disjointed path. Mr. Kelso indicated; additional time will be needed to decide. Currently, a study is being performed to provide a connection for residents off Turk Road. Mr. Blackburn responded; the applicant will provide the space or the funds to construct the path. The alternative would be if the plan is to integrate, a trail will be incorporated.

Item 7 | Section 153-26 – to provide curbing along Cherry Lane and Pine View per Section 153-25.K.

Item 8 | Section 153-27.a.(5) – a technical waiver to construct a maximum drive way slope of 10% for driveways four and five to avoid excessive cuts and pushing the homes further back. This will also allow to preserve more woodlands to the rear of the lot.

Item 9 | Section 153-34.B(6)(b) – as per the landscape conservation requirements, a partial waiver is requested to provide inventory of all trees to be preserved and removed on site. In coordination with Boucher & James, Inc. provide a sampling area was derived for the representative woodland density to be applied to woodland protection calculations. Ms. Stern Goldstein noted; the applicant completed the requirement as per the plans. Additionally, a distinction between nursery stock and woodland trees are required. Mr. Monkres indicated; the entire section will not be cleared. The applicant is trying to preserve as much as possible. Mr. Reppa questioned; will an overall landscape plan be provided. Mr. Monkres referenced a darker green area as tree preservation and indicated; the limit of disturbance will be along the edge and place in the field, prior to construction and protected from vehicles.

Ms. Hendrixson questioned the visibility off Cherry Lane. Mr. Monkres answered; there is an existing driveway. Mr. Blackburn added; the existing site triangle requirement is within the township requirements and no waiver is requested. Mr. Monkres added; there is a provision to clear any weeds or growth should it disturb the site distance.

Mr. Kelso questioned if there is bamboo located on the property. Ms. Stern Goldstein identified three areas with current bamboo growth. Mr. Kelso questioned if there is a plan in place to remove them. Mr. Monkres answered; with being notified earlier today, a message was forwarded to the landscape architect who will devise a plan to eradicate them. It will also be built into a future plan. Ms. Stern Goldstein informed; to note under the SALDO as the brush grass and weeds ordinance.

Item 10 | Section 153-34.c(2) – a partial waiver is requested to sought for tree disturbance beyond the allowable disturbance ratio of 10% for tree between 25-48 caliper inches. The disturbance is less along lot five than the figure calculated on average. Ms. Stern Goldstein informed; the applicants have complied with the ordinance when the sampling across the categories was completed. According to the plans, the waiver may not be required. By applying the rest of the proportions along the woodland area will confirm the calculations.

Item 11 | Section 153-38.D(10) – under stormwater, the standards are outdated in terms in designing rain gardens. The request is to have the slope at 2% and 1% concrete collector.

Item 12 | Section 153-38.D(11) – a waiver is requested for rain garden one and two where the use of the underdrains will be provided as specified to serve the same purpose.

Item 13 | Section 153-38.F(3)(c) – a technical waiver is requested to use 12 inch pipes on storm sewers discharging into the proposed rain gardens due to smaller drainage areas. For lots four and five, raingardens will be provided. A technical investigation was conducted for all four lots. The first three lots resulted in favorable rates and beneficial for water quality. Lot five received less rates where a combination of under draining is utilized and will still function. Underground seepage beds are along lots two and three with the overflow.

Ms. Stern Goldstein suggested to remove the last sentence on item one of the March 25th waiver request under section 153-12.A. Mr. Kelso commented; to revise the last sentence to read the sketch plan phase previously completed and vetted through the staff.

Mr. Kelso reference item 8 and questioned; is the average slope on the driveway 10%. Mr. Monkres indicated no and listed the worst case scenario. He then questioned what the slope of the lower portion of the existing road is. Mr. Monkres indicated; 4% from the first 25 feet and leveled at 4% before transiting towards the landing. Mr. Kelso questioned if a waiver should be added for anything over 8% of the sidewalk. Mr. Monkres answered; the section can be worked out due to enough impervious surface available. It will also interfere with installing a sidewalk. Mr. Blackburn added; the item will be reviewed for consideration of adding another waiver. Mr. Lowenstein suggested; instead of a sidewalk, the area can become a smaller section with a 10% grade. Mr. Monkres responded; the area can become smaller, but the sidewalk in question will be parallel to the driveway. Mr. Blackburn added; the issue will be included as waiver and vetted with caution until it makes sense to install the sidewalk along the stretch.

Ms. Mason questioned why the applicant is not connecting onto the public water line, where an existing water line may provide access. She then questioned if the applicant discussed the option with the Doylestown Township Municipal Authority (DTMA). Mr. Kelso added; all the proposed homes will be located within 150 feet from the public connection line. Mr. Kelso then commented; a public connection may be a problem with a private system. Homeowners tend to use more water when offered public water. Mr. Monkres indicated; the plans need to be reviewed to confirm a closed loop, which may create pressure issues once the service line is at a certain distance. Once confirmed, the applicant will receive in writing.

Mr. Blackburn reconfirmed; the applicant will comply with all review letters received except for the requested waivers. A large portion of the planner's letter is regarding the delineation of a stream along the property. The area was identified as much as possible without gaining access to the property. Comments included; measurements were taken from the center of stream as oppose to the top of the stream bed. However, none will have impact, but access was not gain to the property to review setbacks to further delineate. Ms. Stern Goldstein indicated; an aerial can be provided from the center line. Additionally, wetlands indicated on the property due to being located near the riparian corridor. Mr. Blackburn responded; the applicant will comply with all suggestions.

Mr. Colello questioned; if the applicants will comply with the Director of Code Enforcement letter of March 19, 2019 and Boucher & James, Inc. letters of March 19th and 21st. Mr. Blackburn indicated yes.

Public Comments:

Resident: Pamela V. Sumner of 247 Cherry Lane questioned; what the timeline of the project is. Ms. Blackburn answered; if the plan runs smoothly through the land development process and obtaining National Pollutant Discharge Elimination System (NPDES) permits, construction will begin during the summer of 2019 and take approximately 12 to 18 months to complete. The anticipated completion date for delivery will be during the summer of 2020.

Resident: Robert Walton of 102 Watercrest Drive questioned; was adequate protection taken for the drainage towards Watercrest Drive. Mr. Blackburn indicated yes and as per the NPDES permit requirements, the applicant cannot make a condition worst than what is currently in place. Proof is required to the township and State of Pennsylvania indicating the stormwater will be maintained along the property, such that the flow off the site is improved then in the current state.

Resident: Mary Ellen Walton of 102 Watercrest Drive questioned; what the proposed materials and square footage of each home will be. Mr. Blackburn answered; the plans are still in its early stages. Square footage of the home will be 4,500, depending upon customization. Each lot size will be between two and three acres.

Resident: Maria T. Rafferty of 153 Watercrest Drive questioned; what will the two lots off Cherry Lane look like off Watercrest Drive. Mr. Monkres answered; the proposed homes will front off Cherry Lane, where the side or rear of the homes will be facing Watercrest Drive. Mr. Kelso noted; the plan does not control the orientation of the homes and will be confirmed during the building permit application.

Ms. Mary Ellen Walton questioned; how the driveways will be placed near Watercrest Drive. Ms. Stern Goldstein indicated no driveways are proposed along Watercrest Drive. The driveways will be placed near Pine View. Mr. Blackburn added; the regulations that limit the distance between driveways and site distance from Cherry Lane are compliant with Township ordinances. Ms. Walton questioned if the township has ordinance in place for curbs. Ms. Stern Goldstein answered; regulations are in place for designs in the roadway with a curb. The site has an existing road and the applicant will need to comply with site distance requirements.

Resident: Jonathan Harvey of 211 Cherry Lane questioned; what is the position of the Planning Commission during the planning process. Ms. Hendrixson answered; the Commission is an advisory board who reviews engineering

plans, make comments and recommendations to the Board of Supervisors. Ms. Mason added; review of escrows, development agreements and funds for public improvements associated with the project also need to be considered.

Upon hearing comments from residents, Ms. Mason questioned; if it's possible to add a walking path along Pine View. She suggested adding the path in the curb of the road way along lots four and five. Mr. Kelso noted; an issue with the slope may interfere with the path. He then commented; it's the impression the applicant will review the sidewalk trail issue based upon Michael Baker International review letter of March 15, 2019. Mr. Blackburn questioned; why is the side walk being revisited. Ms. Mason answered; the previous focus on the trail is due to a grant to be awarded for Cherry Lane. Based upon the resident's comments and due to the existing curb, a request to now review the sidewalk for a proposed path is presented. With the cart way at 26 feet wide, Mr. Kelso again requested the applicants design a walking trail. Mr. Monkres agreed to review the plan to possibly design a walking path.

Mr. Harvey questioned will the residents have another chance to comment on the proposed plan. Mr. Kelso answered; with the request of a Preliminary and Final Land Development Plan approval, the next opportunity for residents to provide comments is at a Board of Supervisor's meeting, who will provide a decision. Mr. Harvey had additional questions to include when residents can ask questions regarding items, such as septic. How will it affect wells for homes below the proposed site. There is an existing tree line on Mr. Harvey's property and several trees were tagged. Are these trees scheduled to be removed. Mr. Monkres answered; some tags are only for identification purposes and will provide a clearer answer upon researching the matter further. However, no trees are scheduled to be removed along or off the property line. Mr. Harvey questioned; if the site will be utilizing the existing driveway or create a new one. Mr. Monkres answered; the shared driveway from Cherry Lane is taking access from the existing driveway. Mr. Blackburn clarified; there is an existing driveway for the existing home and the second existing driveway that will be serving an existing two lots. Mr. Monkres added; the applicant is not allowed to submit a plan showing any subdivision until the septic has been vetted. A feasibility study with the Bucks County Department of Health, perk tests, back up area test to the current Brook's home were completed and shown on the plan. Lot two will be designed as an at-grade septic system. Lot three and four will be a sand mound system and elevated three feet above to the berm and grading down. Lot five will have a drip system.

Mr. Feldstein questioned why the drip system is considered for lot five. Mr. Monkres answered; the system was considered as per the preference of the applicant and results. However, the system has not been designed and possible it may be switched. Additionally, showing the worst case impact, the limit of disturbance is shown under the drip system.

Resident: Juliette S. Tomlinson of 191 Cherry Lane questioned if very few trees can be removed as much as possible. Mr. Blackburn reminded; 100% of the goal and no intent to remove a single tree on the property that is not necessary for removal. Marty Brooks is taking a great effort to relocate many of the trees. Ms. Tomlinson noted; the Brook's only planted pre-World War II mutations, where the cuttings are known to be valuable.

Resident: Kathy Evans of 175 Cherry Lane questioned if the applicants are the land owners and what are they applying for. If approval is denied, will a purchase be made. Mr. Blackburn answered; applicant; Cherry Lane, LLC currently has an agreement of sale in place with Mr. Marty Brooks and the area designated for a land swap. The expectation is upon receiving all necessary approvals, closing of the sale will occur. If the development is unable to move forward, the applicant will take an opportunity to withdraw from the agreement of sale.

Mr. Harvey noted additional bamboo plantings near his property line. Ms. Mason indicated; the applicant will have the bamboo eradicated or used for nursery stock.

Ms. Walton questioned if the plan will be marked clearly to note all property lines. Mr. Blackburn answered; if the plan moves forward toward building permit planning, the plan will possibly be marked to show boundaries. Mr.

Monkres offered to string a ribbon showing properties lines during the building permit process. Ms. Stern Goldstein suggested the applicant to schedule a neighborhood meeting to address further issues and questions.

Ms. Hendrixson indicated the Brooks Tract is considered a Preliminary Land Development Plan due to pending issues for review, such as the bike & hike trail, curb on the road, meeting with the bike & hike committee to review and define future connections, how they relate to the site, grades and curb on Pine View and meeting with the DTMA regarding possible public water and sewer connection.

With respect to the bike path, Mr. Blackburn questioned; what additional revisions are expected to make on a month's time with the same information currently on file, such as providing the space and funds to install the path. Ms. Hendrixson answered; grading and clearing may need to be added. Mr. Kelso added; creating the bike path is identifying sections along the township to eventually making one connection. Mr. Blackburn indicated; with any possible delays, unnecessary time might be wasted. There is currently space and enough funds to complete a trail. Mr. Kelso responded; as per the resident's request, more time is needed to view the plans and meet with applicant to address any questions or details. Mr. Kelso recommended; the applicants return with a design of the path that is comfortable for neighbors. The advantage of tabling the plan as preliminary final, the applicant will be able to move forward after the next meeting with the Commission to receive approval from the Board of Supervisors.

Mr. Blackburn requested a clarification on the decision of requested waivers. Mr. Kelso clarified; most waivers are acceptable, except for item 5 (Section 153-25.A(1)) and 6 (Section 153-25.C) pertaining to sidewalks as noted in the Gilmore & Associate letter dated March 25, 2019. Additionally, item 8 (Section 153-27.a.(5)), where it's understood the first twenty feet or more will be at 4% slope on the driveway. Mr. Blackburn responded; with item 5, the understanding is a refuge instead of an installation of a sidewalk. Ms. Stern Goldstein indicated; with the existing curb, a refuge or shoulder is not acceptable. Something is needed behind the curb.

As an overview, Mr. Blackburn confirmed the applicants will explore the availability of public water off Cherry Lane, the refuge \ sidewalk on Lots 4 and 5, remove all bamboo, create a bike path design, review site distances on two driveways and schedule a meeting with residents.

Resolution of the Comprehensive Plan:

Upon reviewing the revised resolution of the Comprehensive Plan of Doylestown Township, Ms. Mason questioned if the plan will now be referred as the Comprehensive Plan of Doylestown Township as amended 2019. Ms. Stern Goldstein indicated yes.

Ms. Stern Goldstein reported the revisions included under population, changing a sentence reading; in addition to the growth in population is now read as in addition to changing the population projections for the township. Grammar corrections were also made and adding item 5 as the Age Friendly to Mixed Use with similar language as written under the comprehensive plan.

In the form of a MOTION, by Mr. Lowenstein; seconded by Mr. Feldstein the Doylestown Township Planning Commission recommends the Doylestown Township Board of Supervisors adopt the Resolution for the Comprehensive Plan of Doylestown Township as amended 2019.

Motion Carried 5 to 0.

Continued Discussion:

Ms. Hendrixson reported; on behalf of the Planning Commission she is scheduled to present the Commission's annual report to the Board of Supervisors on Tuesday, April 2nd at 5:00pm. She requested if any topic should be added to the agenda. Mr. Kelso suggested to receive Board approval to have the Commission move forward with

certain issues under the Comprehensive plan, such as zoning. Ms. Stern Goldstein offered to provide a copy of the Comprehensive Plan with maps for distribution.

Adjournment:

Hearing no further business, the March 25, 2019 Doylestown Township Planning Commission Regular meeting was adjourned at 8:40pm.