



# Board of Supervisors

## Regular Meeting

~ Minutes ~

425 Wells Road  
Doylestown, PA 18901  
<http://doylestownpa.org/>

Stephanie Mason  
215-348-9915

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Tuesday, October 15, 2013

7:00 PM

Public Meeting Room

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### I. 7:00 PM REGULAR MEETING

Members of the Board of Supervisors in attendance included Chairman; Barbara N. Lyons, Vice Chairman; E. Thomas Scarborough, Supervisors; Richard F. Colello and Shawn Touhill.

Township Staff in attendance included Township Manager; Stephanie J. Mason, Director of Operations; Richard E. John, Township Solicitor; Jeffrey P. Garton, Chief of Police; A. Dean Logan and Township Engineer; Mario Canales.

Absent: Supervisor; Ryan Manion

#### A. *Pledge to the flag*

#### B. Visitors/Public Comments

The Board met in Executive Session, prior to the meeting to discuss matters of real estate.

Mrs. Lyons welcomed back residents of Rogers Road to the meeting.

### II. ANNOUNCEMENTS

#### A. *The next meeting of the Doylestown Township Board of Supervisors will be held on Tuesday, November 19, 2013 at 7:00 PM.*

B. Doylestown Township Administration offices will be closed on Tuesday, November 5, 2013 due to the General Election and Monday, November 11, 2013 in observance of Veterans' Day.

C. PumpkinFest 2013 – Saturday October 19, 2013 -Moravian Pottery & Tile Works 12:00 PM – 10:00 PM. \$20 per carload (cash only)

D. Autumn Birdwalk – October 26, 2013 Central Park Pavilion 1 – 8:00 AM – 10:00 AM. Registration is \$5 per person. Please contact our office or email us at

E. Howl-O-Ween – October 26, 2013 at Doylestown Dog Park, 10:00 AM - 1:00 PM. If you'd like to participate please contact our office or email us.

F. Trick or Treat at Kids Castle – October 26, 2013 at Central Park, 1:30 PM – 5:00PM. Children pre-K – 6th grade. Wear Costumes.

G. Planting Native Trees and Shrubs – November 4, 2013 – Activity Center – 6:30 PM – 8:00 PM. Registration is \$5 per person. Please contact our office or email us.

- H. Doylestown Township Leaf and Yard Waste Recycling – The Drop Off Site is open every third Saturday of the month, March-December, 9 AM – 11 AM. Location: New Britain Road access to the back part of CENTRAL PARK
- I. Daylight Savings Ends on Sunday, November 3, 2013. Remember to turn your clocks BACK an hour and replace the batteries in your smoke alarms.

### III. MINUTES APPROVAL: Board of Supervisors. – October 1, 2013

Mr. Scarborough made a MOTION; seconded by Mr. Touhill the October 1, 2013 Doylestown Township Board of Supervisors Regular meeting minutes be approved.

MOTION was ADOPTED 4 to 0.

Mr. Lyons reported Supervisor; Ryan Manion is re-cooperating from a medical conditions and will return to her duties as supervisor within six weeks. She asked everyone to keep her in their thoughts and prayers.

### IV. CORRESPONDENCE - Notices of Resignations and Retirement

#### Notice of Retirement - M. Sturgeon

Ms. Mason reported on the retirement of Township employee; Michael Sturgeon effective December 20, 2013 after 14 years of service.

#### Notice of Resignation - K. Brand (EAC) and T. Tomlinson (Save Kids Castle)

Mr. Scarborough made a MOTION; seconded by Mr. Touhill the Doylestown Township Board of Supervisors to accept with regrets, resignations from Kenneth Brand as member of the Environmental Advisory Council (EAC) and Tyler Tomlinson as member from the Save Kid Castle Committee.

MOTION CARRIED 4 to 0.

### V. REPORTS

A. Solicitor  
No Report

B. Police Chief  
No Report

C. Township Engineer  
No Report

D. Manager - Updated Safety and Health Manual

The Doylestown Township Board of Supervisors acknowledged receipt of the updated Safety and Health Manual. Mrs. Mason added the manual as presented, will be updated from time to time by township staff. Mrs. Lyons reported the manual is available for reading at the administrative offices during business hours.

E. Supervisor

Mr. Colello reported board meetings can be viewed on Channel 22 (Comcast) or Channel 31 (Verizon)

and are broadcasted between 12:00pm through 7:00pm.

Mr. Colello then thanked Chief Logan and township's police department on their efforts with traffic control along Valley and Rogers Roads. He recently received an offer from a thankful resident to provide patrolling officers home cooked meals.

Mr. Scarborough reported on the second Budget Work Session conducted earlier today, where the township is running well and no tax increases are projected. He added the township's park debt is anticipated to be paid off within four years.

Mr. Touhill reminded the public to attend the October 26th Howl-O-Ween event, where he will participate as a judge. Mr. Touhill then recognized all volunteers who participate under the Boards and Commissions, such as the Bike and Hike Committee. He encouraged any one interested to volunteer their services.

Ms. Lyons reported the Board have concluded their Budget Work Sessions. The next step present a preliminary budget at the November 19, 2013 Board of Supervisors meeting for their approval to hang the budget for thirty days. Final approval will be presented, upon no comments or changes greater than 10% of the bottom line. She then thanked the Ways & Means Committee and Township staff for their assistance and support with the 2014 Doylestown Township Budget.

Ms. Lyons presented the Board for their review, a draft letter created by Mrs. Lyons to Doylestown Township Acting Secretary; Dr. Carolyn C. Dumaresq expressing her support with Delaware Valley College's request for university status.

The consensus of the Board of Supervisors was to send the letter.

## VI. NEW BUSINESS

### A. Recycling Performance Grant – Agreement

Ms. Mason reported the agreement serves as a continuation of a grant with Hough Associates. Hough assist the township acquire as much performance grant for recycling efforts. Upon a successful year in 2012, Hough's portion for 2014 was budgeted for \$3,055.14. Ms. Mason noted with Hough's assistance, the township has increased their allocation.

Mr. Scarborough made a MOTION; seconded by Mr. Touhill the Doylestown Township Board of Supervisors authorize Hough Associates to collect the 2013 Residential and Commercial Recycling data and prepare the Pennsylvania Department of Environmental Protection(DEP) 904 Recycling Grant application for Doylestown Township in the amount of \$3,055.14.

MOTION CARRIED 4 to 0.

### B. PennDOT Traffic Signal Application – Kutz School Flasher

Ms. Mason reported a flasher traffic signal was damaged near Kutz Elementary School. The township recovered insurance monies to cover costs and request to have funds applied to replace and update to a solar operated traffic signal. An application has been prepared for submittal to Penn Dot.

Mr. Scarborough made a MOTION; seconded by Mr. Colello the Doylestown Township Board of Supervisors authorize the township to submit an application to the Pennsylvania Department of Transportation (Penn Dot) to have a damaged traffic signal located near Kutz Elementary School repaired and updated to solar.

MOTION CARRIED 4 to 0

## C. Treasurers Report – October 15, 2013

Mr. Scarborough made a MOTION; seconded by Mr. Colello the Doylestown Township October 15, 2013 Treasurer's Report be approved.

MOTION was ADOPTED 4 to 0

**D. Bills List – October 15, 2013**

Mr. Scarborough made a MOTION; seconded by Mr. Colello the Doylestown Township October 15, 2013 Bill's List be approved in the amount of \$1,086,004.15.

MOTION was ADOPTED 4 to 0

## E. Land Development – The Pavilion at Doylestown – Sketch Plan

Mr. Garton provided a brief background of the ongoing proposed land development plan submitted by applicants; The Pavilion at Furlong located at Rogers Road and Route 313&263. Most recently, the previous land development application was denied by the Board and currently on appeal. Due to the appeal, no discussions regarding previous applications submitted by the applicants will be discussed.

On behalf of the applicants, Attorney; Edward Murphy will only be presenting the new sketch plan for the Pavilion at Doylestown then addressing any questions or concerns from the Board and public. No official action will be taken by the Board at tonight's meeting, such as approval of a land development plan. Upon hearing the presentation, the Board will only decide whether to forward the plan to the Doylestown Township Planning Commission for their review.

Mr. Murphy introduced Van Cleef Engineering Associate; Sam Costanzo and Project Traffic Consultant; Phil Wursta of TPD. With assistance from Mr. Costanzo, a new sketch plan has been conceived utilizing different uses from prior plans. The property is split zoned with five separate parcels at approximately over 17 acres. Four parcels are zoned commercial with the fifth as limited industrial. Mr. Murphy commented how limited industrial has shown to be a challenge in redeveloping the site.

Mr. Murphy noted upon a exchange of voice mails with counsel for the congregation off Rogers Road, have indicated they are pleased with the proposed sketch plan, because it maintains the interconnection to Route 263. Mr. Murphy believes this will assist in efforts to install a traffic signal on Route 263, which was previously denied by Penn Dot due to not being warranted.

Mr. Costanzo introduced Landscape Architect; Scott Mills and began his presentation with a review of the Existing Feature Plan noting Route 313 and 263 as arterial roads and Rogers Road as a sub collector. The plan also noted regulated natural features such as, steep slopes, woodlands and flood plans along Bucks County. The site is devoid of all regulated natural features with the exception of the treed areas. The split zoning causes a challenge because it's limited industrial commercial and hugging arterial roads. It also creates a challenge with the difference uses between non residential against residential.

Mr. Costanzo then showcased slides of the 17.4 acre tract which outlines the parking black top area, access isles, five rectangular buildings and undeveloped land. The plan provides as much greenery as possible adjacent to the residential district along the westerly tract boundary. Access to the site consists of a one-way coming in from Route 313, which acts as a spine road through the site and extends towards Rogers Road. The last leg of Rogers Road will be considered a one-way in, but the driveway is directly aligned with the most westerly tract boundary from Temple Judea.

The five buildings onsite consists of a proposed CVS with associated parking, one bank, two multi-retailed building and a daycare near Rogers Road. The site is proposed to be served by on-lot sewage and water. Van Cleef Engineers will be working closely with Township Director of Operations, Fire Marshal and Authority Engineer to work out details regarding serving the site from a domestic fire and water

standpoint. DelVal Soils completed a partial geological testing for the well and sewage disposal. The best soil testing was found to be along Rogers Road with a large area to serve as a sand mound facility.

The proposed grading and stormwater management plan within the Neshaminy Creek Watershed District B shows drainage from the site floods in two directions at a five acre water shed drain to a culvert under Route 263. It also has about a 11 to 12 drains toward Rogers Road onto an unimproved side road ditch. The components for storm water management were sized and fitted as per all recent storm water management requirements.

Buffering is planned off the westerly tract boundary towards the closest building corner at approximately 282 feet. Keeping the greenway was important with a 100 foot setback off of the westerly tract boundary. There are other buffer criterion around the building, however relief are required for some. The plan also depicts the anticipated relief in dealing with the mixed zoning along the site to move away from residential properties.

Mr. Garton suggested clarification on how large the proposed buildings will be. Mr. Costanzo clarified, square footage for each proposed building as 1) large multi retail building at 24,043 2) CVS at 10,794 3) bank at 3,060 4) multi retail building B at 12,500 and 5) daycare at 10,272. Parking is arranged for the overall site allotment. Each of the individual uses generally comply. The daycare tends to over park when meeting ordinance requirements, but there is enough parking on site for employees to use the nearby multi retail spaces.

For landscaping, a depiction of intense buffering will be focused along the westerly tract boundary. Additional buffering will be place behind the multi retail building as greenery.

Ms. Lyons requested clarification on how the one-way spine road off Route 313 will work. Mr. Costanzo answered; the spine road will go off to Rogers Road. The road is considered a two-way coming in from Rogers Road, but can be changed as a one-way upon township's direction. Ms. Lyons then questioned; the spine road could ingress or egress through the entire complex then go out onto Rogers Road. Mr. Costanza indicated not with a one-way in road. Mr. Murphy added; upon reviewing prior plans, it contemplated the one stretch from Rogers Road to the internal portion of the site being one-way. He believes Mr. Wursta thinks it's a wise idea, however it can be changed upon further discussions with the Board, Planning Commission and neighbors.

Mr. Wursta noted the traffic issues were set with regards to what improvements would be required. The iterations associated with the plan and contemporary development of Temple Judea made some mild adjustments. Mr. Wursta confirmed the right access from Route 313 with two driveways on Route 263. The access will considered a right in and out only coming from Buckingham into the site. Further south, there will be a full access point as a wide driveway with a traffic signal. Access coming onto Rogers Road is to signed and painted as a one-way in. This represents a give back for residents concerned with the Temple's property as a one way in. This will prevent traffic from going into the community from the proposed land development site. The distribution of traffic is very important specifically for residents of Rogers Road who may utilize the site.

The biggest improvement is located off Route 263, which involves the addition of a center left turn lane from the existing off Edison Furlong Road. This will continue through the intersection of Route 313. This will create a left hand turn lane, and eliminate two lanes from each direction and making a left turn from the passing lane. Although the plan hasn't changed drastically from the previous plan submitted, however Mr. Wursta prefers to create a two way traffic instead of one way. The issue is flexible upon Board's review.

Public Comment:

Resident; Anne Woodbury of 680 Spring Valley Road questioned why will existing vegetation (trees) be

removed if there are plans to use it as a buffer. Mr. Costanzo answered; an overall grading plan was developed for the entire site to provide balance. Tree clearing was completed, but may not constitute as woodlands. However, Mr. Costanzo agreed to review the area. Ms. Woodbury commented on how removing trees to consider grass as grading made sense for water flow. Mr. Costanzo responded a landscaping plan has not been developed. It's likely more landscaping will be completed within the caliber inches required by the township. Ms. Woodbury then questioned if Penn Dot approval was received for the traffic light on Route 263 and is a cell tower proposed. Mr. Wursta answered; approval was received and there are no plans to construct a cell tower.

Ms. Woodbury concluded by thanking the Board for being a good governing body.

Resident; Mary Lou Streznewski of 22 Brook Drive, Furlong requested a provision be placed to prevent through way traffic from coming into Rogers Road to prevent speeding and increased traffic. Ms. Streznewski questioned the status of a law suit to prevent the proposed CVS building from being larger than 13,000 square feet. Mr. Garton answered; the township won the law suit. He clarified the township's ordinance requires a CVS type of single structure can not exceed more than 10,000 square feet. Ms. Streznewski then questioned what are the regulations for the proposed 24,000 square foot structure. Mr. Garton answered; the structure will be permitted, because it's a shopping center design with multi units. Mr. Garton then relayed Township Planning Consultant; Judy Stern Goldstein's comments by adding there are no set limits except the site can only support so much coverage because of imperious surface ratios, parking requirements and stormwater management.

Resident; Peter Mernard of 1 Old Nursery Way commented the Board should not make a quick decision with approval of the plan and doesn't mind taking the time to build the property correctly. He indicated tonight's plan is the best presented to date and noted approximately twelve variances listed. Mr. Menard then questioned what are the plans for water flow and a sand mound. Mr. Costanzo answered; there are two watersheds located on the property towards Rogers Road at approximately 11 acres. Two storm water management facilities are currently in place in the area to offset concerns for stormwater runoff. Within the last eight years, stormwater management has become a main concern. As a result, there are substantial release rates reductions that have to be completed. More testing is scheduled to see how much more infiltration can be received into the ground to include testing for bmps to offset runoff. There is also a side road ditch off Rogers Road. Once the plan moves into a land development state, discussion on how to connect stormwater runoff improvements off Rogers Road will begin. The site drains in a sheet flow fashion down towards Rogers Road with no defined escape. As for the sand mound, the 100 foot isolation distance was met by going over the required feet. Mrs. Lyons added the township has seen and corrected many of the proposals, however tonight is the first time the township has seen the current plan.

Mr. Murphy addressed comments made regarding the number of variances by indicating, most of the variances are a function of the applicants trying to move the building closer to the boundary roads away from the neighboring residents. Mr. Murphy then offered to review the variances for justification. Mr. Garton suggested to first finalize the entire plan.

Resident; Joe O'Malley of 138 Rogers Road commented the proposed traffic light will make the through way traffic onto Rogers Road worse. He suggested the applicants try to create an alternative to avoid a serious issue.

Planning Commission \ Bike Hike Committee member; Tom Kelso pointed out a pedestrian connection to Buckingham Township should be included in the plan. The Bike and Hike committee is planning a

connection through the commercial part of Furlong and believes this connection will have importance. He also suggested the appearance from the road to be addressed before presenting the plan to the Planning Commission. Mr. Kelso then noted reviewing the placement of the storm water basin directly up to the sewage system to find a better option. Lastly, Mr. Kelso questioned if the plan will show any fire protection from the water supply standpoint. Mr. Costanzo responded; he is hoping to meet with the Fire Marshall and Mr. John to meet fire and domestic.

Resident: James Bingler of Turkey Lane, Furlong questioned if tree calculations were completed to determine the number of removal. Mr. Costanza answered; the plan's tree preservation calculations show the total amount of caliber inches required to be preserved, as well as the amount of caliber inches proposed. As a result, about a 1,000 caliber inches are coming down. Mr. Bingler noted no more than 10% of trees located along Route 263 are allowed to be removed, then questioned if plans are in place to have tree removed with a waiver. Mr. Costanzo agreed no more than 10% of trees are allowed to be removed, but indicated to support the layout several trees will be removed. Waiver requests will be a part of a discussion with the township.

Mr. Bingler questioned Ms. Mason on how many woodlands would remain if trees were not removed. Ms. Mason indicated approximately one acre, but referred to Ms. Stern Goldstein to confirm. Ms. Stern Goldstein clarified there are two separate issues. The first was regarding the tree violation of 69 trees at a average of 9 inches in caliber, where a judge settled out of court to have replacement trees required. The trees were planted sporadically around the site with no acre for amount taken down. The second issue was addressed upon a site visit completed approximately two years ago, where more woodlands was calculated on site than recorded. Upon land development, the township will be reviewing calculations of the 4.2 acres of woodlands very closely. It will also be clarified once the plans are developed. Mr. Bingler questioned if the 69 trees will be re-planted. Mr. Garton responded; details of the plan will be reviewed and included in dialogues with applicants. Ms. Stern Goldstein added the trees are still an open issue.

Ms. Streznewski questioned what type of commercial establishment are proposed for the two multi retail buildings. Mr. Murphy could not provide specific names of the commercial establishment, but indicated it will be service oriented type retail. He added depending on the size of the septic system, the applicants will have limited control of what type retail stores can be serviced. Ms. Streznewski then questioned if food or liquor stores will be allowed. Mr. Murphy could not answer, but Mr. Garton clarified there are no liquor license to authorize a store.

Resident; David Zebele of 7 Old Nursery Way questioned how will the position of lighting and noise be handled. Mr. Murphy answered; in with adhering to the township ordinance for overflow lighting, any thing adjacent to neighboring residential properties will be shielded and no parking illumination lighting will be needed. Mr. Zebele then questioned at what point is the level of detail for lighting is addressed during the planning. Mr. Costanzo indicated; normally lighting is addressed during land development stage, however once the plan moves forward, the issue will be discussed in detail with the Planning Commission.

Mr. Murphy addressed the noise violation by stating, the township controls the timing of deliveries can occur. He then reminded the public the closest point to any boundary line of a building is approximately the size of a football field. The boundary line to the residential properties are greater. Mr. Murphy agreed to refer to the township staff and applicants so delivers are made during early morning.

The Board made no decision and suggested proper procedure is to have the Pavilion at Doylestown sketch plan forward to the Doylestown Township Planning Commission for their review, comment and recommendation.

Mr. Colello reminded the public notifications will be sent to all neighboring residents once the applicants are scheduled to present their plans to the Planning Commission. Planning Commission meetings are

scheduled on the fourth Monday of every month. All information will also be posted on [www.doylestownpa.org](http://www.doylestownpa.org).

**VII. ANNOUNCEMENTS****VIII. ADJOURNMENT**

The October 15, 2013 Doylestown Township Board of Supervisor Regular meeting was adjourned at 8:03pm.