

**Minutes from the**  
**DOYLESTOWN TOWNSHIP PLANNING COMMISSION**  
**Regular Meeting**  
July 22, 2013

The Doylestown Township Planning Commission Regular Meeting was held at 7:00 p.m., Monday, July 22, 2013 in the Doylestown Township Municipal Building, 425 Wells Road, Doylestown, PA. Members of the Planning Commission in attendance included Chairman; Judy Hendrixson, Vice Chairman; Kenneth L. Snyder with members Thomas Kelso and George Lowenstein. Other in attendance included Township Manager; Stephanie J. Mason, Board of Supervisor Liaison; Richard F. Colello and Township Planning Consultant; Ms. Judy Stern Goldstein.

**Absent:** Edward Redfield

**Review of Minutes:**

In the form of a motion by Mr. Lowenstein; seconded by Mr. Snyder June 24, 2013 Doylestown Township Planning Commission Regular meeting minutes were approved.

Motion carried 4 to 0.

**Public\Commission Comments:** None

**Hot Air Balloons - Draft Letter to Great Eastern Balloon Association members**

Ms. Hendrixson noted Ms. Jennifer Merten's suggestions added to the Great Eastern Balloon Association memo regarding a new policy when flying along or near large communities to include...

- A) Avoid landing in areas that will require the balloon to fly low over residential communities
- B) Avoid flying over livestock or other animals that may be frightened by the noise of the burner or use a backup burner system to reduce noise level.
- C) If possible, select a landing area that should cause the least inconvenience to the landowner
- D) Always ask for permission before landing
- E) Ensure crew is trained to respect the land, obey traffic laws and is polite to everyone they are in contact with
- F) Obtain permission before driving into a landing field
- G) Ensure property fences and/or gates are left the way you found them
- H) If a property owner has an issue with flight path or landing, please make a concerted effort to contact landowner to discuss regardless of culpability.

Ms. Mertens also suggested having the township create an ordinance to ensure the policy is secured.

Ms. Hendrixson questioned if all Balloonists were in receipt of Ms. Merten's letter. Hot Air Balloon Operators; Joe Doerer of Whitehouse Station, New Jersey confirmed receipt and stated only suggestions made in the original GEBA letter will be followed. Additional comments made by Ms. Mertens are only recognized as comments.

Mr. Kelso advised it will show more weight if Ms. Merten's letter be placed under the Great Eastern Balloon Association's (GEBA) letterhead before distributing and not the township. Mr. Doerer agreed and indicated it will show the GEBA has full intentions in working with residents.

Ms. Hendrixson stated the suggestion to have a hot air balloon policy be placed as an ordinance cannot be recommended to the Doylestown Township Board of Supervisors. The township does not have authority to do so, since the FAA has jurisdiction over where and how hot air balloons can be flown.

On behalf of Jennifer Mertens, resident: Rocco Carriero of 25 Oak Drive explained the intention is to prevent further accidents from happening. The main concern is keeping all animals safe from being startled from a low flying balloon. Ms. Hendrixson empathized for animal safety, but reiterated FAA has jurisdiction over the GEBA. The Township does not have the authority to legislate hot air balloon procedures. After the June 24, 2014 Planning Commission meeting, everyone agreed the best solution is to have Ms. Merten's letter distributed so all GEBA members can be aware of concerns to avoid any more occurrences.

Mr. Carriero questioned if only in an emergency or in distress will the balloonist be allowed to fly over residential communities. Mr. Lowenstein answered; the agreement went further to include avoiding heavily developed residential areas. He once again explained the flyer will be distributed to all hot air balloonists to make them aware of the situation so hopefully no other occurrences will happen again. The township cannot go further since the FAA only has authority. A GEBA representative added as an attempt to work with residents in keeping the peace confirmed the letter will be distributed noting areas which should be avoided when flying and landing.

Mr. Lowenstein thanked all members of the Great Eastern Balloon Association on their efforts and cooperation. Mr. Doerer stated he will provide the township with a copy of the distributed letter.

Ms. Mason questioned if the commission have any corrections before submitting a formal recommendation to the Board of Supervisors.

Ms. Hendrixson suggested...

- A) Highlighting in red the township cannot create an ordinance regarding hot air balloon flying procedures.
- B) Leave phrase stating avoiding hot air balloon landing along built up areas should remain in the letter
- C) Add Ms. Mertens' suggestion to avoid landing areas that will require flying low over residences.

Mr. Doerer indicated he will need to discuss the added request with the GEBA board to place a change in their policy which will cause a delay in distributing the letter.

In the form of a motion by Mr. Lowenstein; seconded by Mr. Snyder the Doylestown Township Planning Commission recommends the Doylestown Township Board of Supervisors approve a letter be distributed among the Great Eastern Balloon members in order to make aware of flying hazards along the township. Further, Ms. Jennifer

Mertens of 25 Oak Drive suggestions to avoid flying low above residential communities and along built up areas will be included. Finally, the letter will note the township cannot create an ordinance pertaining to the Hot Air Balloon policy due to the FAA jurisdiction over hot air balloon policies and procedures.

Motion carried 4 to 0.

### **Blueberry Hill – Amended Final Land Development Plan**

Blueberry Hill Group representative; Chris Cafiero informed the commission since acquiring the property in March, 2012, lease contracts have been established with The Learning Experience for the 12,000 square foot in the two story property and Verizon at their barn property along Almshouse and Route 611.

Mr. Cafiero explained a final land development plan with previous owners; the Carrollton Group was never finalized. A change of use variance and discussion regarding the playground located on the side of the property was approved by the Zoning Hearing Board. However, the agreement did not follow through which caused the land development plan not to be finalized. The Blueberry Hill Group reviewed the plan with township staff to change the shape and size of the playground from 5,000 to 3,200 square feet.

Mr. Lowenstein questioned if the plan not being finalized violates any rules with the Zoning Hearing Board to avoid further issues. Mr. Cafiero confirmed the Zoning Hearing Board had no other issues and all steps were completed. Also, the Blueberry Hill Group recently met with the Zoning Hearing Board, where they re-approved the land development plan. Ms. Stern Goldstein confirmed Blueberry Hill received an additional variance and conditions from the prior plan as of July 22th. Ms. Mason added the Zoning Hearing Board also approved the plans to comply with the state requirements for mulch surfacing of daycare centers. Ms. Stern Goldstein explained Penmark Engineers submitted a land development plan noting a difference in imperious surface from plans submitted by the previous owner. The engineer represented there was asphalt with existing imperious condition and a full complete build out down to a 100<sup>th</sup> square foot from before. It ends up when they came in with their land development; it was a few 1000 square feet less. It caused several issues to include it was never a build out and several areas were missed. Plans were submitted last Thursday, where Ms. Goldstein noted several areas still missing. Upon further calculations, the applicants are still over several thousand feet of imperious surface.

Mr. Kelso questioned if the Zoning Hearing Board addressed the imperious surface issue along the play area. Mr. Cafiero answered the Board decided to skip over the issue because at the time, Blueberry Hill Group was short from the basis of their field measurements to meet with the imperious surface. Mr. Kelso commented he couldn't see how the area can be counted as imperious where with materials with stone can be recognized as a recharge area. Ms. Stern Goldstein indicated the mulch was never an issue. Mr. Cafiero added the play area consists of a rubber surface with compacted stone and meets with the definition of imperious surface.

Mr. Kelso suggested the Planning Commission review township's ordinances to accommodate available new surfaces for play areas. Ms. Stern Goldstein indicated the only issue left with the plan is to finalize several minor items with imperious surface as indicated in the July 16, 2013 Boucher & James, Inc., July 16, 2013 Pickering, Corts and Summerson and July 18, 2013 Pennoni Associates comment letters. Ms. Stern Goldstein believes the issues can be resolved upon meeting with Blueberry Hill Group's engineer.

Ms. Hendrixson questioned if the actual number pertaining to imperious surface has been determined. Ms. Stern Goldstein answered worst case scenario the number is would be less than 1000 feet and not an issue.

Mr. Kelso asked on behalf of applicants; Blueberry Hill Group, if Mr. Cafiero will comply with comments stated in the Boucher & James, Pennoni Associates and Pickering, Corts and Summerson's comment letters. Mr. Cafiero agreed.

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 the Blueberry Hill Group Final \ Land Development Plan with the understanding the applicants have agreed to meet requirements and comments stated in the July 16, 2013 Boucher & James, Inc., July 16, 2013 Pickering, Corts and Summerson and July 18, 2013 Pennoni Associates comment letters.

Motioned carried 4 to 0.

**Workshops – Continued Discussion:**

Ms. Mason updated the commission on her conversation with Linda Bush to have Doylestown, Buckingham and Plumstead Townships along with Doylestown Borough meet to discuss the changes along Cross Keys. Ms. Mason everyone is excited to work together. She added, Ms. Bush complemented the township with their North Main Street and Thompson corridor study plan.

Mr. Colello informed the commission the township received information on businesses flourishing since the completion of the Route 202 Parkway.

Mr. Kelso commented the township should consider the Edison Furlong area for Bucks County Planning Commission Grants. Ms. Mason indicated once meeting with Linda Bush, she will review the issue and show plans of the area. Ms. Mason added Delaware Valley Regional Planning Commission (DVRPC) was very impressed with they reviewed the Route 611 corridor plan.

**Adjournment:** 7:50 p.m.