

DOYLESTOWN TOWNSHIP PLANNING COMMISSION

Regular Meeting

Tuesday, June 24, 2024 at 7 PM

Community Meeting Room, 425 Wells Road

Meeting Minutes

The Doylestown Township Planning Commission Regular Meeting was held at 7:00 pm on Tuesday, May 28, 2024. Members of the Doylestown Township Planning Commission in attendance included Tom Kelso, Chairman; Judy Hendrixson, Vice Chairman; Jill McCauley; Robert Repko and Michael Kracht. Others in attendance included Stacy Yoder, Gilmore & Associates; Dan Wood, Board of Supervisors Liaison and Stephanie Mason, Township Manager

Mr. Kelso welcomed everyone to the meeting.

Public/Commission Comments

None

Mr. Kelso indicated that 33 Neill Drive Sketch Plan – Meister Property – Zoning Ordinance Text Amendment was removed for the agenda at the request of the applicant.

Review of Minutes

On a motion by Ms. Hendrixson, seconded by Mr. Kracht, the May 28, 2024 minutes were approved.

Presentation

N/A

Land Development

280 N Broad Street – Preliminary Land Development Plan - TP# 09-009-046 (B) & 08-005-001 (A – Doylestown Borough parcel w/access road)

Representing the applicant was Kellie McGowan, attorney for the applicant, she indicated that the last time they were before the Planning Commission was in April, the plans have not changed from the April meeting. The plan has been reviewed by the Township Consultants for a second time and those review letters and a waiver request with four waivers have been submitted and received. She also indicated that generally the applicant is a will comply with the reviews by the consultants.

Mr. Kelso indicated that on May 28th an advertised site visit was conducted by the Township Planning Commission along with the applicant and the adjacent property owner, Tri Partners LP, owner Fred Beans, located at 260 N. Broad Street and their attorney Mr. Chris Chandor. From the Planning Commission Mr. Kelso and Ms. Hendrixson, Ms. Stern Goldstein, Township Planner and Stephanie J. Mason, Township Manager, were also in attendance. The group reviewed the location and distance between the 260 & 280 N. Broad Street properties, the existing vegetation and the 24/6 operation that takes place at the warehouse property.

Ms. McGowan acknowledged receipt of a letter from Mr. Chandor dated June 21st addressed to the Township Manager and her client Mr. Duckworth regarding concerns that he has for the property relating to and ways to address those concerns. He also in his letter referenced his April 30th letter which

was received as well regarding full disclosures as required by the Township to the townhomes, disclosures about Beans parts business and the hours of operation, inclusion of language in deeds for purchasers and from the field meeting a request for a fence or barrier that would help with sound and light for both properties.

Ms. McGowan indicated that her client and Mr. Chandor had conversations and believes that the items regarding the disclosure for the purchasers of the proposed townhomes is on track and discussions will continue regarding the appropriate fencing / barrier to be installed between the two properties. She indicated that a former project in Warminster has a fence that mitigates sound and something similar may be appropriate and should be considered. She also pointed out that there are height restrictions in the Borough and going above those would require a trip to the Zoning Hearing Board, she is hopeful that things will be resolved without having to go to the Zoning Hearing Board in the Borough.

Ms. Hendrixson addressed the height, which she did not believe was a main concern because of the additional landscaping being provided on the 280 property. Certainly, the sound might be more concern from the truck back up beeping sound.

Mr. Chris DelPlato, representing Tri Partners along with Mr. Chandor was in attendance, again indicated the cooperation to date by Mr. Duckworth and stated that he believes that the disclosure through the deeds and other documents, on the plan and in the HOA document will address notification of what is currently taking place at the 260 property. Again, he stressed continued conservation and concern from the neighbor at 260 and the business regarding a barrier that would help reduce the noise and the light that could generate complaints in the future from the new homeowners at 280. He also pointed out the elevation which creates part of that concern.

Mr. Duckworth concurred that the elevation is a concern but that the apartment building has very strict HUD restrictions regarding insulation, sound absorption and the like. He and Ms. McGowan are going to review those requirements to see if they can be incorporated into the townhomes as well to help with some of that. Perhaps consideration of no windows being installed on the Tri Partners border will be considered as well. He provided as examples homes that he constructed in Haverford near a SEPTA rail line and in Newtown Township near the Newtown Bypass, he is very cognizant about noise and vibration that can impact homes and the importance of addressing those for future homeowners.

Ms. Hendrixson indicated that speed is not a concern for vehicles as they are slowly moving through a parking lot to get to the loading docks. It's most likely the back up beeper that will be impactful.

Mr. Kracht commented that he's not in favor of requiring a plan approval when there is a private matter such as this, truly not part of the planning process.

Mr. Repko indicated he appreciated the applicant was looking at sound absorption panels for the building and mitigating light for the building and willingness to address concerns being raised.

Mr. Kelso raised questions regarding the DTMA letter, which Ms. McGowan addressed. She indicated that DTMA, the Borough Water Department and her client met and are reviewing the various options addressed in SC Engineers June 10th letter. There are options that are being weighed from direct connection to the Borough water system and policy of the DTMA where the Township property needs to direct connect into their main. Unfortunately, it requires a street frontage which this property doesn't have. There is also the potential that they will participate in an improvement of an upgrade and

Borough/Township interconnection at Shady Retreat and Broad St. the intent is that by the time of final plan submission this item regarding water will be resolved. Ms. McGowan indicated that the Borough does not want Broad Street ripped up and that the construction occurring on the opposite side is making significant improvements.

There was a question on roadway improvement. They will continue to work with the Borough on what will occur along the frontage and driveway access to that property.

Mr. Kelso asked Ms. McGowan to review the proposed waiver requests for the property. Ms. McGowan indicated that she reviewed the following waiver requests:

1. *SALDO Section 153-34.I established woodland and tree preservation requirements and Section 153-34.B(6)(b) establishing a tree inventory requirement.*

After discussion regarding trees and the fact that they have Keystone Tree Experts out, there are woodlands, difficult to preserve. To meet a lower preservation standard and zoning and appropriate for infill locations. They believe it is justified because the poor health of the existing cover, there are substantial diseased trees, a lot of Ash and they would like to work with Gilmore on identifying the trees and if available to be able to plant additional trees as needed. Mr. Kracht's comment about there is no buffer was addressed as part of zoning and is not a requirement. However, there are some street trees required from the Borough for the property. Consensus of the Planning Commission, they have no objections to waiver request #1.

2. *In accordance with Section 153-27.(2) Driveways for private use shall be located and designed so as to provide sight distance in accordance with the standards in 153-24E(8) at intersections with streets and a level stopping distance with a grade not exceeding 4% for a distance of 20 feet behind the right-of-way line. There shall be a twenty-five-foot level area at the garage entrance. Excessive driveway grades that may create a hazard will not be permitted.*

The applicant is requesting a waiver of the location of access driveways to the townhomes with private access. The sight distance measurements provided in the table in 153-24E(8) are more applicable to intersections with collector or arterial and state roadways versus the proposed internal access drive. Sight distance is limited by the proposed on-street parallel parking spaces, which promote a more urban/village setting and traffic calming.

Mr. Kracht wanted to make sure that the fire apparatus was sufficient. The plan has been reviewed by the Township's Code and Fire Marshal and no issues have been raised. Consensus of the Planning Commission, they have no objections to waiver request #2.

3. *SALDO Section 153-20E, a Transportation Impact Study is required for the site.*

The proposed development will have no impact on Township Road infrastructure. The project does not take access to Township roads. Access point is within the Borough of Doylestown and the access point driveway permit will be evaluated and processed by the Borough. The applicant engineer has submitted traffic generation information, which was reviewed by the traffic engineer, there were no concerns raised.

4. *SALDO Section 153-28.D.1 In order to provide flexibility in parking lot design and layout, angle parking may be appropriate. Where 90-degree angle parking is utilized, the width of the stalls shall be 10 feet with a depth of 20 feet. This should be addressed on the plan set.*

The SALDO Ordinance Section requires 10'x20' but the zoning ordinance creating B16 Senior Affordable Use allows for 9'x18' stalls and the applicant requests a waiver to allow for the 9'x18' stalls due to inconsistent requirements of SALDO.

It was indicated that the property is currently overparked, but they are allowing utilizing the 9'x18' spaces. The consensus of the Planning Commission was they have no objections to this waiver.

After further discussion Mr. Repko indicated he believes that preliminary plan approval was appropriate, and Ms. McGowan mentioned the applicant is only seeking a recommendation for preliminary plan approval as they still need to work on their Planning Modules and work through the other issues between now and final.

Mr. Kelso commented that he concurred with the motion and indicated that the Planning Commission would recommend preliminary plan approval to the Board of Supervisors, with the applicant complying with the various review letters from the Township consultants associated with the application that the items regarding DTMA would be addressed between now and final, that additional landscaping will be addressed between now and final and that the applicant and the Planning Commission encourages the applicant to continue to work and dialogue with the neighboring property on issues related to disclosure and potential fencing to address issues of sound and or sight.

Mr. Kracht commented that he did not feel it was appropriate for the Planning Commission to enforce and or require the applicant address Mr. Chandor's letter but that encouraging continued discussions with the neighboring property was acceptable.

Mr. Repko seconded the motion after Mr. Kelso concurred with Mr. Kracht that the condition would be for the applicant to continue to have discussions and dialogue with the neighbor, but not required to reach a resolution.

The motion to grant preliminary plan approval was carried 5 – 0.

Other Business

None

Adjournment

With no other business, the meeting adjourned at 8 pm.

Respectfully submitted,

Stephanie J. Mason
Township Manager