

Minutes of the
March 1, 2011
Board of Supervisor's Regular Meeting

The Regular Meeting of The Doylestown Township Board of Supervisors was held at 7:00 p.m., Tuesday, March 1, 2011 in the Doylestown Township Municipal Building, 425 Wells Road, Doylestown, PA. Members of the Board of Supervisors in attendance included Chairman; Barbara N. Lyons, Vice Chairman; Richard F. Colello, Supervisors; E. Thomas Scarborough, Jr., Barbara Eisenhardt and Cynthia M. Philo. Others in attendance included Township Manager; Stephanie J. Mason, Director of Operations; Richard E. John, Township Solicitor; Jeffrey P. Garton, Chief of Police; Stephen J. White, Township Engineer; Mario Canales

PLEDGE OF ALLEGIANCE

EXECUTIVE SESSION:

Ms. Lyons announced the Board met in Execution Session, prior to the meeting, to discuss matters of personnel with the Police Benevolence Association.

VISITOR / PUBLIC COMMENTS:

Resident; Ernest Gash of 15 Wilkshire Road commented on the outstanding snow removal job completed by the township during recent storms.

Resident; Madeline Rawley of 361 Birdsong Way presented the Board with a New York Times article regarding natural gas drilling along the Delaware River Valley where waste water is being spilled into the River effecting drinking water and fish. She asked the Board to consider writing a letter on behalf of the citizens in Doylestown to the Delaware River Basin Commission to request regulations be placed prior to the March 16, 2011 appeal deadline.

Mrs. Eisenhardt made a MOTION the Doylestown Township Board of Supervisors consider sending a letter to the Delaware River Basin Commission requesting an extension to the March 16, 2011 comment deadline for further investigation.

MOTION was ADOPTED 4 to 1, with Mr. Scarborough voting nay.

Resident; Shawn Touhill of 35 S. Chapman Road questioned when will the FEMA flood plain maps be available for residents who live near the affected water way. Ms. Mason responded; Township Engineer; Mario Canales will provide a flood plain report later in tonight's meeting.

ANNOUNCEMENTS:

The next Doylestown Township Board of Supervisors Regular meeting is scheduled for Tuesday, March 15, 2011, 7:00 p.m., in the Doylestown Township Municipal Building.

Daylight Savings Time will begin on Sunday, March 13, 2011. Remember to set clocks AHEAD one (1) hour. It's also a good time to replace batteries in Smoke Detectors.

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1st Annual Mother/Daughter Tea & Craft event is scheduled for Sunday, March 27, 2011, 10:00 a.m. at The Market at Delaware Valley College. Please contact the Administration Office for details.

The Annual Egg Hunt event is scheduled for Saturday, April 16, 2011, beginning at 10:00 a.m., at Central Park.

National Prescription Drug Take Back event is scheduled for Saturday, April 30, 2011 from 10:00 a.m. to 2:00 p.m. in the Doylestown Township Municipal Building (Police Department side)

The Touch – a – Truck event is scheduled for Saturday, May 7, 2011, 1:00 to 4:00 p.m., at Central Park

Annual Doylestown Township Golf Outing event is scheduled for Monday, June 6, 2011 at the Doylestown Country Club. Please registrar now for Early Bird savings.

MINUTES APPROVAL:

Ms. Philo made a MOTION, seconded by Mrs. Eisenhardt to approve the minutes of the February 15, 2011, Board of Supervisors Regular meeting.

MOTION was ADOPTED 5 to 0.

CORRESPONDENCE: None

REPORTS:

SOLICITOR No Report

TOWNSHIP ENGINEER:

Mr. Canales first addressed Mr. Touhill's question by indicating currently the Federal Emergency Management Agency (FEMA) is in the process of updating their flood plain maps and recently held two meetings in Middletown and Doylestown Township to present flood maps, flood insurance and programs studies to municipal and county officials. FEMA does not anticipate the availability of these maps to the public before November of 2012. During this time there are three activities each community must undertake.

- 1) Preliminary maps must be reviewed for non technical comments and/or questions until March 23, 2011. Maps are available in the Township's Municipal Building for public comments that will be forwarded to FEMA.
- 2) The communities must either adopt or amend their flood plain ordinance to meet FEMA's requirements. The Department of Community and Economic Development will contact municipalities within thirty days to provide their assistance with the ordinances.
- 3) It will be the responsibility of the community to reach out to their citizens affected by the changes in the flood plain. Grandfathered provisions are in place for structure currently outside of a flood plain and may be remapped into a flood plain. Each affected resident must obtain flood insurance no later than thirty days prior to the maps becoming effective. FEMA recommends each municipality

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wait six months prior to the maps becoming effective before reaching out to the communities. At this time FEMA will be in contact with municipalities by letter informing of all final determinations.

Ms. Mason informed the public, all information regarding FEMA's new regulations for flood plains will be posted on the township's website and anyone interest are welcome to stop by the municipal building to view the preliminary flood plain maps.

Mr. Canales concluded by stating currently FEMA and Bucks County Planning Commission are currently in discussions regarding how counties can assist in identifying each affected parcels. However, the information cannot be distributed due to confidentiality issues.

Resident; John Everett of Turk Road questioned if the technical information provided will be the final statement and no appeals can be made. Mr. Canales answered; the comment period prior to March 23rd will be followed by an appeals period for residents only.

Resident; Shawn Touhill questioned if FEMA's new regulations for flood plain will be implemented in 2013 and if parcels can be mapped outside the new flood plain. Mr. Canales answered; the new regulations will be implemented in 2012 and parcels may be mapped outside the flood plains. Mr. Touhill then questioned if current residents who have flood insurance will be contacted. Ms. Mason answered; any insured residents affected by the remapping will need to contact FEMA directly due to confidentiality issues.

Neshaminy Creek Watershed – Implementation of ACT 167 Stormwater Management

The Pennsylvania Department of Environmental Protection (DEP) has approved the Neshaminy Creek Watershed ACT 167 for Stormwater Management Plan. In accordance to the plan, municipalities are required to update their storm water management ordinances. The ordinance's exemption criteria are more restrictive. No planned development in the watershed is exempt from applying volume control standards. In addition, the calculated captured runoff volume cannot leave the site and shall either be infiltrated, reused or evapotranspired. There are three levels of regulations...

- 1) Today projects over 5,000 square feet of new impervious surface will require peak rate control, storm water management plan and volume control. The stormwater peak rate control criteria has been revised from the 75% release rate for all areas of the township except the Pine Run watershed to a runoff rate based on different management districts. Doylestown Township is located within two Districts; A and B.

District A; which for all storm release rates except the two year storm is a 100% preconstruction release rate, the post construction ten year storm release rate cannot exceed the preconstruction ten year storm runoff rate. District B; the proposed condition to meet the preconstruction rates of the next lowest storm, which is the five year storm release rate and cannot exceed the preconstruction two year storm runoff rate.

- 2) Projects between 1,000 and 5,000 square feet of impervious surface, peak rate control is exempt, but a stormwater management plan and volume control is required.

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- 3) Projects between 0 to 1,000 square feet of impervious surface, volume control is required. This is where Mr. Canales sees the most difficulty. For example; if a resident buys a storage shed from a nearby home improvement store, volume control is required from the township to install the shed. This requires the township to create a stormwater management plan for smaller projects. Credits are available for the planting of trees, and certain amount of woodlands in the surrounding area.

Mr. Canales indicated several comments were forwarded to DEP, with relief. However, DEP did offer a small projects option where an engineer is not required to produce plans. With guidance from the township and a completed Appendix I form, a homeowner will be able to provide calculations of the plan, including Best Management Practices (BMP) usage to be reviewed by the Code Enforcement Department. In addition, the township has an option to create a small projects application for residents to include detailed guidelines of calculations required.

Ms. Mason added the Doylestown Township Planning Commission voted at their meeting of February 28, 2011 recommending the Board consider adopting the Neshaminy Creek Water Shed ACT 167 Stormwater Management plan provisions to the Subdivision Land Development ordinance (SALDO) and create an application package for small lots where disturbance is less than 5,000 square feet to take necessary approvals under the ordinance and Appendix I by the deadline of May 22, 2011.

Mrs. Lyons informed the public the Neshaminy Creek Water shed Act 167 Stormwater Management plan is mandated by the County of Bucks as per the requirements of the Department of Environmental Protection.

Mr. Garton recommended the topic be placed upon the Board of Supervisors' March 15, 2011 agenda for consideration to authorizing advertising of the proposed ordinance.

POLICE CHIEF:

Established of Traffic Control Regulations

Chief White informed the public the Doylestown Township Traffic Commission approved Chapter 61, Section 6109 (b) (2) and the Code of the Township of Doylestown Chapter 46, Section 46-2 regulations for the 25 miles per hour speed limit along the township. This meets with the current Standard Traffic Engineering Practices guidelines and the plans are available for Board and public review.

The Bucks County Regional Police Study

At the February 22, 2011 Bucks County Regional Police Study public meeting, the Department of Community and Economic Development study was presented to the public with positive reviews. A copy of the presentation is available between 8:00 and 9:00 p.m. each evening on the Doylestown Government access channels 31 (Verizon) 22 (Comcast). Any questions can be emailed to Chief White at swhite@doylestownpa.org and police@doylestownpa.org. Warwick Township has scheduled a Regional Police Study public meeting on Monday, March 7, 2011.

TOWNSHIP MANAGER:

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2011 PRPS Excellence in Programming Awards

Ms. Mason was pleased to announce the Pennsylvania Recreation & Park Society has honored Doylestown Township Parks & Recreation Department with two awards. The first is the Children and Youth Program award for their Harry Potter's Mystical Wizarding Tour. The second is the Special Events award for their Howl-O-Ween event. Both honors are scheduled to be awarded on March 22, 2011, 6:30 p.m. at the Valley Forge Convention Center located in King of Prussia.

Manager's Conference Request

The Board agreed by consensus to approve the Township Manager's attendance, with an overnight stay at the annual Association of Municipal Management Conference, held on May 17th thru 19th, 2011 in Bedford, Pennsylvania.

SUPERVISORS:

Mrs. Eisenhardt No Report

Mr. Scarborough commented on many compliments received from residents for the outstanding snow removal job completed by the township's Roads Department and thanked them for keeping the roads safe.

Ms. Philo congratulated Delaware Valley College Men's Basketball team in qualifying for the Division 3 Championship for the first time and wished them luck.

Mr. Colello commented on the recent and encouraging Boards and Commission presentations at the February 15th Board of Supervisors meeting. The Environmental Advisory Committee and Planning Commission are currently involved with reviewing several ordinances, such as the Outdoor Furnace and comments will be provided in the future. The Planning Commission reviewed the York and Swamp Road **By Right Plan**. Upon conversations with the commission, residents and Township Planning Consultant; Judy Stern Goldstein, the applicants realized it was not a by right plan and will submit a new plan at a future meeting.

Mr. Colello requested the Board consensus to develop a draft resolution to extend some Boards and Commissions terms from one to a three year. The Board agreed.

PUBLIC HEARING:

Proposed Ordinance Amendment – Subdivision / Land Development – Groundwater

Mr. Scarborough made a MOTION the Doylestown Township Board of Supervisors approve the proposed ordinance amendment for Subdivision Land Development for Groundwater Ordinance for the purpose of discussion, seconded by Mr. Colello.

Mrs. Eisenhardt questioned if the ordinance prevents any homeowner with a basement from using a sump pump to prevent flooding. Mr. Garton clarified any home built within two feet from a high water table will not be allowed to construct a basement. Also, Subsection C of Section 2 of the ordinance includes a criterion; should an applicant demonstrate a hardship in accordance with §153.22.C, the Board of Supervisors may grant a gravity or mechanical device be employed to remove water from the below grade areas.

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Mr. Canales added the Planning Commission's decision to include the amendment in the Subdivision Land Development Ordinance (SALDO) was primarily to prevent contractors of new constructions from building near a high water table and not for existing single family lots.

A discussion ensued amongst the Board regarding what should be considered a hardship when pertaining to Sub-Section C of the ordinance.

Mr. Garton informed the Board they are allowed 60 days to review the ordinance prior to approval in order to speak with the Planning Commission. Mrs. Eisenhardt then questioned if the ordinance prevents new construction from installing sump pumps after the ordinance is placed, because of a water problem occurring after not meeting the criteria for hardship. Mr. Garton indicated it does not.

Mrs. Lyons made a MOTION the Doylestown Township Board of Supervisors table the proposed ordinance amendment for Subdivision Land Development for Groundwater Ordinance until the March 15, 2011 Board of Supervisors meeting, seconded by Ms. Philo.

MOTION was ADOPTED 5 to 0.

PRESENTATIONS:

Conestoga Rovers & Associates – IDD&E Status

Rich Burns of Conestoga, Rovers & Associates presented the Board with a slide show of the 2010 Illicit Discharge Detection and Elimination Program study. Mr. Burns indicated the township is in compliance per the Department of Environmental Protection (DEP) regulations and the National Pollutant Discharge Elimination System (NPDES) permit has been extended until June of 2012. The focus of the study was to inspect and retrieve samples of outfalls for 72 hours after a previous rainfall to detect any illicit discharge, such as fecal/ e-coli. In the three areas where the studies were performed it was found soils were moderately well drained, data was collected and corrective measures were taken by the state to cap a four inch PVC pipe. Also, the 2010 annual report will be submitted by the end of March to DEP and fecal coli form was found in one area at 200 colonies per 100 milliliters, which is considered much lower than seen in the past.

Going forward, Conestoga Rovers & Associates will continue to inspect and complete sample analysis, review data and maintenance of septic in order to continue improve the water quality throughout the township.

Storm Water Pollution Prevention Training

Special Project Manager; Sandra Zadell began her presentation with a brief quiz testing the Board's and public's knowledge of stormwater pollution prevention. Ms. Zadell then provided the following suggestions to keep the storm water along the township clean.

- 1) *Keep litter, pet waste, leaves and debris out of the street gutters and storm drains.*
- 2) *Mix peat moss or compost into soil before planting to help the soil retain water.*
- 3) *Use terraces and retaining walls to reduce water run-off from sloped yards.*
- 4) *Choose low water plants, flowers, trees and shrubs when planting.*
- 5) *Limit the amount of grass area. Instead, plant ground cover, indigenous plants or slow growing, drought*

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tolerant vegetation.

- 6) *Install water efficient drip or trickle irrigation systems*
- 7) *Use a three inch deep layer of mulch, such as pine needles, shredded leaves or bark to prevent erosion*
- 8) *Clean up spilled brake fluid, oil, grease and antifreeze instead of hosing them towards the streets. They will eventually reach local streams and lakes.*
- 9) *Plant ground cover and stabilizing erosion prone areas to control soil erosion*
- 10) *Have septic systems inspected and pumped at a minimum every three years*
- 11) *Run the dishwasher and laundry machines only with full loads. Choose a suds saver model when buying new washing appliances.*
- 12) *Do not let the water run continuously when washing dishes*
- 13) *Consider using half gallon plastic bottles to flush toilet tank to reduce amount of water used.*
- 14) *Take shorter showers with a water conserving showerhead rather than taking baths.*
- 15) *When using the sink area of the bathroom do not let the water run continuously.*
- 16) *Consider using a car wash instead of washing your car at home. If so, use a high pressure, low volume hose with a nozzle.*

Many more suggestions or if anyone is interested in storm drain stenciling volunteering, information can be found at www.doylestownpa.org or by emailing info@doylestownpa.org.

UNFINISHED BUSINESS: None

NEW BUSINESS:

Eagle Scout Proclamation – Zachary Michael DiAngelo

Mr. Scarborough made a MOTION the Doylestown Board of Supervisors approve Troop 6 Boy Scout member; Zachary Michael DiAngelo be awarded the rank of Eagle Scout at his Court of Honor on April 21, 2011, seconded by Ms. Philo.

MOTION was ADOPTED 5 to 0.

Eagle Scout Proclamation – Brian Joseph Burke

Mr. Scarborough made a MOTION the Doylestown Board of Supervisors approve Troop 71 Boy Scout member; Brian Joseph Burke be awarded the rank of Eagle Scout, seconded by Mrs. Eisenhardt.

MOTION was ADOPTED 5 to 0.

Sign and Post Bid

Mrs. Eisenhardt made a MOTION the Doylestown Township Board of Supervisors approve the supply and delivery of sign and post materials bid from the following companies for year beginning April 1, 2011 and ending March 30, 2012, as per the recommendations of Director of Operations; Richard E. John, seconded by Mr. Colello.

Chemung Supply Corporation	\$423.73
Garden State Highway Products, Inc.	\$8,493.24
US Municipal Supply	\$1,439.75

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MOTION was ADOPTED 5 to 0.

Eastburn Tract – Sketch Plan Presentation

President of Zaveta Custom Homes; Mr. Richard D. Zaveta presented the Board with a brief history of the proposed sketch plan for the Eastburn Tract by referencing their previous approval of a preliminary subdivision land development plan for 14 new residential lots, plus the maintenance of an existing, primary estate home approximately one year ago. Mr. Zaveta is now requesting comments from the Board of the conservation conscious sketch plan for 7 new residential lots, plus the existing estate home (built in 1782), which equals 50% of the density. The property is 50 acres with a frontage on Short and Windover Roads.

While providing slides of the property, Mr. Zaveta explained several changes made to the plan. There will be two entrances from Short Road, which will be paved and widened without disturbance to the existing trees. One driveway will be shared between the existing estate home and 7 new lots. The Eastburn Tract will be working closely with the township's consultants to maintain preservation. As a result, out of the total 7 new lots, there will only be 4 ¼ acres of buildable ground area to include homes, garages, and pools. Approximately 16 acres of severely preserve ground is located near a pond with a water course. The building envelopes along lots 1 through 4 will have heavy evergreen remain on site to provide a significant buffer. Off Windover Lane a private driveway will be established to be less invasive to the existing slopes and trees. Some existing roadways near the area not needed in the plan will be re-established as meadow.

Mr. Zaveta concluded by stating the sketch plan has been viewed by the Open Space Committee and Planning Commission as well as with township staff with positive remarks. He is now requesting direction from the Board. Mrs. Lyons added a recent appraisal of the property was authorized for open space purposes. The Board complimented Mr. Zaveta on his efforts to preserve land and suggested obtaining variances to take advantage of the natural slopes.

Resident; Kevin Green of Windover Lane questioned if the road extension off of Windover Road will be a driveway. Mr. Zaveta answered; their goal is to work with township engineer and staff to create a transition from a 26 foot wide road into a residential driveway with no sidewalks or curbing.

Doylestown Executive Quarters – Silver Maple Farm /Plan Review Extension f.k.a. White Eagle Labs

Mr. Scarborough made a MOTION to approve an extension to the Silver Maple Farm until May 15, 2011, seconded by Mrs. Eisenhardt.

MOTION was ADOPTED 5 to 0.

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ADJOURNMENT: 8:38 p.m.

Respectfully submitted by;

Stephanie J. Mason, Secretary