

Borough of Doylestown Zoning & Planning Committee

Corrected Meeting Minutes

Meeting Date: Monday, February 12, 2018
Scheduled Time: 7:00 PM
Location: Council Chambers

Present

Councilpersons present were Chairperson Tim Brennan, Susan Gordon, Don Berk, and Ben Bell. Staff present was Karyn Hyland, Director of Building & Zoning.

Call to Order

The February meeting of the Zoning & Planning Committee was held in the Council Chambers of Borough Hall, 57 W Court Street on Monday, February 12, 2018, and was called to order at 7:00 PM.

Review and Approval of Minutes

On a motion from Ms. Gordon, seconded by Mr. Bell, the December 2017 and January 2018 minutes were unanimously approved.

Zoning Hearing Board Upcoming Meeting – February 21, 2018

#2018-01 – 228 E. Court Street, TP # 8-9-170, Daniel & Marie Carchedi, owners

Ms. Hyland reported that this residential application was rescheduled from last month. The applicants are requesting dimensional relief for an addition; the next-door neighbor has indicated that she may oppose the application. Ms. Hyland was unsure what elements of the application the neighbor was opposed to, and noted that she had received a letter of support from another neighbor who was in favor of the project. Ms. Hyland noted that the applicants have a non-conforming lot area, and that their dimensional request would be allowable if they had a conforming lot size. She added that the applicants have reached out to their neighbor to try and reach a compromise, but they appear to be at an impasse.

Mr. Bell expressed a concern for a tree near the property line that may be impacted by the applicants' driveway shifting that way. Ms. Hyland noted that the driveway is not the subject of the Zoning Hearing Board variance, and so is not a part of their application; however, the applicants have assured her that they will save the tree. Responding to a question from Mr. Berk, Ms. Hyland stated that the pervious surface requirements are not related to Zoning. She added that to adopt thresholds for impervious surfaces would create numerous non-conformities and hundreds of hardships for small projects. By definition, this project would not meet the Subdivision and Land Development requirements and so would be subject to staff review only.

Responding to questions from Mr. Bell, Ms. Hyland stated that there is state-level case law that establishes non-conforming lot sizes as hardships inherent to a property. She added that, generally, dimensional variances are easier to obtain, as there is less burden on the applicant than in a use variance. There was some discussion of the process of sending the Solicitor to the ZHB, and whether a staff member could appear to represent the interests of the Borough. Ms. Hyland was not comfortable with a Borough staff member appearing at the ZHB in that capacity, and noted that it has been Council's position that, unless they feel strongly about a project, they will decide not to send the Solicitor.

2018-03 – 160 Lafayette Street, TP # 8-8-45, Philip W. & Patricia W. Biaesch, owners

Ms. Hyland explained that this is a property within the Historic District, which the Committee has already seen as a recommendation for a Certificate of Appropriateness from the Historic and Architectural Review Board. The applicants obtained a structural evaluation from Carroll Engineering and are seeking to

demolish the existing non-conforming house. The proposed new home will require additional dimensional relief. The Committee took no action regarding the application.

Historic & Architectural Review Board Recommendations – January 25, 2018

Buildings

95 N. Broad Street, Josh Szolnick, property owner
106 E. State Street, Ellen Happ AIA, applicant

Ms. Hyland reported that the first application has now appeared before the HARB twice, due to some concerns regarding the historicity of the windows. Mr. Brennan suggested that the Committee handle both items together, and made a motion to pass along the HARB recommendations to Borough Council; Ms. Gordon seconded the motion, and it was unanimously approved.

Land Development/Subdivision None.

Land Development Waivers None.

Ordinances, Amendments & Resolutions None.

New/Old Business

Mr. Bell expressed concern for a tree involved in a construction project at Church and Oakland. Ms. Hyland explained that keeping the tree was a condition of the variance being granted for the project; if the tree is removed, it would violate the approvals. She added that the Borough has been working with the parties involved to find solutions. She noted that the owner has reached out to the Shade Tree Commission; Ms. Hyland noted that Borough staff really needs to be involved at the higher level of planning. Responding to a question from Mr. Brennan, Ms. Hyland stated that the Borough certainly has the leverage to deny a certificate of occupancy if the approvals are violated.

Mr. Bell relayed a concern from a resident that a recently demolished house was intentionally “let go” to the elements. Ms. Hyland stated that the Borough can enforce property maintenance codes, but that they do not always have the authority to enter a property and look around. There are many rules and conditions governing that kind of action.

Ms. Hyland also noted that a decision regarding the Crown Castle applications should be coming soon.

Adjournment

On a motion from Mr. Berk, seconded by Mr. Brennan, the Zoning and Planning Committee adjourned at 7:58pm.

Respectfully Submitted,

Dirk A. Linthicum

Meeting Minutes Secretary