

Borough of Doylestown Zoning & Planning Committee

Meeting Minutes

Meeting Date: Monday, May 14, 2018
Scheduled Time: 7:00 PM
Location: Council Chambers

Present

Councilpersons present were Susan Gordon and Don Berk. Staff present was Karyn Hyland, Director of Building & Zoning, and James Dougherty of Gilmore & Associates.

Call to Order

The May meeting of the Zoning & Planning Committee was held in the Council Chambers of Borough Hall, 57 W Court Street on Monday, May 14, 2018, and was called to order by Mr. Berk at 7:00 PM.

Review and Approval of Minutes

The members of the Committee in attendance deferred approval of the April minutes until the following meeting.

Zoning Hearing Board Upcoming Meeting – May 16, 2018

#2018-06 – 168 E. Oakland Ave Lot 2, 120 Athens Ave Associates LLC

Ms. Hyland explained that the applicants had asked for another continuance for the request from the ZHB that a certain tree be saved. The Borough has no reason to oppose this request, and it is up to the ZHB to grant the continuance. Responding to a question from Mr. Berk, Ms. Hyland confirmed that nothing can happen to the tree in the meantime.

#2018-08 – 425 South Main Street, MC Doylestown LLC / PM Doylestown

Ms. Hyland explained that this is a request for re-zoning the property. The Committee had discussed this previously and had authorized the Solicitor to appear and represent the interest of the Borough.

#2018-09 – 174 Lafayette Street, Bruce Salkovitz and Linda Barlow

Ms. Hyland reported that this is a dimensional request involving some yard and building relief. Since receiving the application, Ms. Hyland has reached out and asked if the applicants would be willing to modify the position of the garage in order to save some trees; the applicants are willing to accommodate the request.

#2018-10 – 163 E. Ashland Street, James and Robin Wagner

Ms. Hyland reported that this is a request for relief for building height. This zoning district requires that buildings be lower than the maximum height of 35 feet unless it can be demonstrated that a building will not cast a shadow at certain hours. The applicants have not been able to demonstrate that, so they are asking for a variance. The neighbors have been notified, but Ms. Hyland stated that she has not received any feedback so far.

The Committee took no action regarding the ZHB applications.

Historic & Architectural Review Board Recommendations – April 26, 2018

Signs

169 N. Main Street, Shoe Equities, LLC

Buildings

211 Belmont Ave, Jeff and Elizabeth Derham, property owners

160 Lafayette Street, Phil and Patti Biaesch, property owners
164 E. Court Street, Beth Bingler and Nick Gray, property owners

Ms. Hyland reported that HARB had recommended Certificates of Appropriateness for all applications, with some conditions. She added that the 211 Belmont Ave application has some challenges from a zoning perspective, but that they managed to address the HARB's concerns to everyone's satisfaction. 160 Lafayette involves a demolition and new home construction. 164 E. Court is an application for chimney removal, as well as a bump-out window on the side of the home. There were no objections to any of the HARB recommendations from the Committee members present.

Land Development/Subdivision

Doylestown United Methodist Church, 320 Swamp Road, TP # 8-010-078

Ms. Hyland explained that this is an application for a building addition; Mr. Scott Consortis of Carroll Engineering appeared along with Mr. Ken Kugel, chairman of the church's building committee, and noted that the scope of the project has changed since they received a recommendation for conditional approval from the Planning Commission. The applicants explained the scope of their application and noted that, after some back-and-forth with the Borough engineer and the Shade Tree Commission, they will be able to save several trees and will relocate a cherry tree on the property. Ms. Hyland noted that the application can move forward to Council without a specific motion from the Committee, since there is no quorum. Mr. Dougherty stated that he had been verbally informed of the new plans being submitted.

Responding to a question from Mr. Berk, the applicants stated that they are losing 43 caliper inches, and are replacing exactly 43 caliper inches. Mayor Ron Strouse, in attendance at the meeting, asked whether the applicants had had conversations with their neighbors. The applicants stated that they have been presenting their plans in church for the past three years, but they had not made a specific effort to inform other neighbors. Ms. Hyland noted that no notice is required on the Borough's behalf.

Mr. Dougherty noted that the applicants had addressed the two major issues on the project. Mr. Berk saw nothing to object to, but noted that it would have been a good idea to reach out to neighbors. Ms. Hyland stated that the Committee members present could make a recommendation without a quorum; she included a draft memo in their meeting packets, which was written with the revised plans in mind. Both Mr. Berk and Ms. Gordon recommended that the draft memo be passed along to Council.

Mayor Strouse asked whether the replacement trees were on the Borough approved tree list. The applicants stated that their proposal includes a Princeton elm, which is not on the list. Ms. Hyland noted that any species not on the list will require a waiver. The applicants agreed to substitute a different species of tree; Mr. Berk and Ms. Gordon stated that they would recommend approval, pending the inclusion of an acceptable native species from the Borough's list.

Land Development Waivers None.

Ordinances, Amendments & Resolutions

Consideration of Ordinance No. 2018-5 Regulating the Location of Consumer Fireworks Sales

Ms. Hyland stated that there has been a change to the Ordinance; it has now been advertised with the change, on the recommendation of the Bucks County Planning Commission. A clause required that 600 feet separate any proposed facility from residential uses, schools, etc.; the County noted that 600 feet could preempt the use anywhere in the Borough, and suggested that it be lowered to 450 feet. The Borough agreed and made the change. Mr. Berk and Ms. Gordon recommended approval of the revised Ordinance.

New/Old Business

Amendment to Overall Land Development Approval, Bucks County Justice Complex

Ms. Hyland explained that this change involves the VIP parking facility (Phase III of the overall complex). A condition of the original approvals stated that 50% of the parking should be made available to the public at no charge on evenings and weekends; the County is asking that this condition be removed so that they the option to charge a fee commensurate with the Borough's own parking rates. Ms. Hyland added that the County is also asking to charge for periods during which the Borough is not charging. Mayor Strouse noted that this is the result of considerable discussion with the County. Ms. Hyland added that the County has incurred roughly a million dollars in maintenance costs that they were not expecting; the County has also struggled to get residents' vehicles out of the existing garage in time for their employees to arrive. Mayor Strouse stated that this unfortunate situation during the past few snow storms has put the Borough in a difficult position.

Ms. Gordon and Mr. Berk agreed that this matter should be discussed before the full Council. Ms. Hyland clarified that the amendment applies only to the VIP parking facility, noting that the County has the ability to charge for the existing garage, but thus far has not. She also noted that this request has been an item between the County and the Borough for some time; Mayor Strouse added that the Borough was able to achieve some modifications to the VIP garage designs in terms of design, landscaping, historical monuments, etc. After some discussion, the Committee agreed that the request should be forwarded to Council for discussion with no specific recommendation.

Comprehensive Plan Survey

Ms. Hyland stated that this is in a draft form currently. Ms. Gordon suggested that this item be tabled until a quorum is present; Mr. Berk agreed.

Draft Grading Ordinance

Ms. Hyland stated that there is no action required. No action was taken.

Adjournment

The Zoning and Planning Committee adjourned at 7:48pm.

Respectfully Submitted,

Dirk A. Linthicum

Meeting Minutes Secretary