

Borough of Doylestown Zoning & Planning Committee

Meeting Minutes

Meeting Date: Tuesday, September 11, 2018
Scheduled Time: 7:00 PM
Location: Council Chambers

Present

Councilpersons present were Chairman Tim Brennan, Susan Gordon, Don Berk, and Ben Bell. Staff present was Karyn Hyland, Director of Building & Zoning, and Jim Dougherty, Gilmore & Associates.

Call to Order

The September meeting of the Zoning & Planning Committee was held in the Council Chambers of Borough Hall, 57 W Court Street on Tuesday, September 11, 2018, and was called to order by Mr. Brennan at 7:02 PM.

Review and Approval of Minutes

On a motion from Ms. Hyland, seconded by Mr. Brennan, the Committee voted unanimously to approve the meeting minutes from August.

Zoning Hearing Board Upcoming Meeting – September 20, 2018

#2018-08 (Continued) – 425 S. Main Street, TP # 8-11-41-61, Challenge by MC Doylestown LLC / PM Doylestown, LLC

Ms. Hyland reported that this is a challenge to a recent zoning change; it has been a recurring line item. Since it is an appeal of the Borough's Ordinance, the Solicitor will appear by default.

#2018-14 – 401 S. Main Street, TP # 8-11-43 and 8-41-23, Tina Mazaheri, property owner

There were no additional questions or discussion regarding this ZHB application.

The Committee took no action regarding the ZHB applications.

Historic & Architectural Review Board Recommendations – August 23, 2018

Signage

64 S. Main Street, Fabby-Do, Robin Brackbill, applicant

34 E. State Street, nourish by MAMA, Kendall Bajek, applicant

20 E. Oakland Avenue, Sweetah's Gluten Free Bake Shop, Beverly Berkeley, applicant

Building

155 N. Main Street, Keila Gilbert, property owner

172 E. Oakland Avenue, 120 Athens Avenue Associates, LLC, property owners

168 E. Oakland Avenue, 120 Athens Avenue Associates, LLC, property owners

278 W. Oakland Avenue, Kurt and Amy Kremser, property owners

187 E. Court Street, William and Laurie Schutt, property owners

On a motion from Mr. Brennan, seconded by Ms. Gordon, the Committee voted unanimously to handle all of the HARB applications together. Ms. Hyland suggested that they discuss several items of particular interest. She noted that 172 E. Oakland Avenue involves a tree removal; the application was approved as a land development, and afterward there was a Zoning Hearing Board decision to allow a front wraparound porch. There was testimony given at the time that a nearby tree could be kept if the porch was added on; the applicants subsequently submitted a ZHB application to remove the condition involving

the tree from their approval. The ZHB denied that request. What is now before the Committee is the house with the porch removed; HARB recommended approval of the architecture without the porch. Responding to a question from Mr. Bell, Ms. Hyland confirmed that HARB's scope is limited to the architectural features.

Ms. Hyland reported that 168 E. Oakland Avenue is a request for the demolition of an existing home, which HARB denied. For 187 E. Court Street, Ms. Hyland distributed new plans to the Committee to show what the HARB recommendation was based on; she noted that there were neighborhood concerns the first time around, but the neighbors were very appreciative of the changes that were made.

On a motion from Mr. Brennan, seconded by Mr. Berk, the Committee voted unanimously to approve the applications in accordance with the HARB recommendations.

Land Development/Subdivision

SD/LD #2018-04 – Ashland Walk LLC, TP #8-7-48, 8-8-372, 8-8-373-1 – 252, 258, and 260 W. Ashland Street, Country Builders Inc, equitable owner

Ms. Hyland reported that the Committee saw this previously, in the form of a Zoning Hearing Board application. The properties were previously approved for a commercial mixed use, but the plans have now changed to 10 residential townhomes. Parking spots will be in garages and on-site. The Planning Commission has recommended approval with several conditions, which are included in a draft motion for the Committee to make if they so desire. Responding to a question from Mr. Bell, Ms. Hyland stated that the outstanding issues were mostly minor and technical in nature; the applicants have agreed to comply with all of them. None are "substantial planning issues."

Responding to a question from Mr. Bell, Ms. Hyland explained that the applicant has agreed to try and accommodate one additional street tree by relocating the utility hookups. In the draft memo, Ms. Hyland allowed for either possibility: attempting to relocate the utility connections, as well as granting a waiver from the full street tree requirement. Responding to a question from Mr. Berk, Ms. Hyland confirmed that adding the 8th tree somewhere else is also an option. The applicants, in attendance at the meeting, said they were agreeable to that solution as well. Ms. Hyland reported that there has been a lot of positive feedback regarding the project. Responding to a question from Mayor Ron Strouse, Ms. Hyland confirmed that historic streetlights have been proposed.

The applicants stated that they are excited to get started with the project. Mr. Brennan made a motion to recommend granting Preliminary / Final Land Development approval, based on the conditions stated and with the amendment that, if the 8th street tree cannot fit, that it will be placed at a location of the Borough's choosing. Ms. Gordon seconded the motion, and it was unanimously approved.

Land Development Waivers None.

Ordinances, Amendments & Resolutions None.

New/Old Business

Capital Budget Discussion

Ms. Hyland reported that one item is the Fire Marshal's truck, which is aging; it was placed as far out as possible in this budget in order to put it on Council's radar. There are some special requirements for the Fire Marshal's vehicle.

Ms. Hyland also noted that there is a request for new software – a helpful look for the public that provides a "reader's digest" version of zoning for any particular property. It would also limit the number of questions / queries fielded by Staff. Mr. Dougherty noted that the city of Easton, PA, as well as Pennfield, NY, are already using this software. Responding to a question from Ms. Gordon, Ms. Hyland confirmed that a maintenance cost for the software would be included with the general budget.

Mr. Bell raised a concern that the data used for this program not be locked into a proprietary "silo" and therefore be unusable in the future. He pointed out that the data would likely have to be restructured in order to be entered into the program, and that Doylestown would want to make sure they own that restructured data. He also expressed the need to ensure that user information remains private. He added that he fully supports initiatives like these and is glad to see Doylestown moving in this direction. Ms. Hyland stated that she would follow up on those issues.

Mr. Brennan suggested that the Borough provide a disclaimer about interpreting the code itself, and that the information provided by the program should not be a complete substitute for the code. Ms. Hyland stated that a disclaimer would be included. Mr. Brennan noted that this solution would be better than the PDF map currently provided on the Borough website. Mr. Bell also suggested that the Borough provide users with a way to send feedback, and also ask users' permission to share their data for basic web statistics.

Mayor Strouse asked whether comprehensive planning was included in the current budget discussion. Ms. Gordon stated that the Committee had reviewed the issue with Mr. Phil Ehlinger, Deputy Borough Manager, last month, and that the issue was currently on "the back burner." The Borough may instead shift its focus to park construction and Broad Street renovations. Ms. Hyland agreed that a lot of factors are in play, including the cost of a Comprehensive Plan update and staff hours. Mayor Strouse pointed out that one result of not performing the update, and the zoning changes incorporated thereby, is that the workload of the Zoning Hearing Board may increase. Ms. Hyland suggested that it could also have the opposite effect – that a plan update could create more nonconforming properties. Mayor Strouse suggested that Council keep in mind that putting off the comp plan update could impact the Borough in several ways, from fragmented woodlands to affordable housing to transportation infrastructure. Ms. Hyland clarified that the plan could still be discussed, but that there is no money budgeted for it this year.

Mr. Berk asked that Ms. Hyland look into the questions that were raised regarding the new software. Mr. Brennan made a motion that the software should be included in the budget; Ms. Gordon seconded the motion, and it was unanimously approved.

Adjournment

On a motion from Mr. Brennan, seconded by Mr. Berk, the Zoning and Planning Committee unanimously adjourned at 8:08pm.

Respectfully Submitted,

Dirk A. Linthicum

Meeting Minutes Secretary