

**MINUTES OF DUBLIN BOROUGH
PLANNING COMMISSION MEETING
MONDAY, MARCH 18, 2019**

1. **CALL TO ORDER:** The March 18, 2019 meeting of the Borough Planning Commission was held at Dublin Fire Hall, 194 N. Main St., Dublin, PA. Chairman, Eugene Miller called the meeting to order at 7:30 p.m.

PLANNING COMMISSION MEMBERS PRESENT:

Eugene Miller
Brent Smith
Robert Pellegrino
Robert Morris
Thomas Rymdeika

APPOINTED OFFICIALS PRESENT:

Borough Manager:	Angela P. Benner
Borough Solicitor:	Michael Kracht, Esq.
Borough Planner:	Judy Stern Goldstein

*Not Present

**Late Arrival

2. **Pledge of Allegiance:** Mr. Smith lead the Planning Commission and audience in the Pledge of Allegiance.
3. **Announcements from Chairman:** Mr. Miller explained the roll of the planning commission.
4. **Approval of Minutes:**
 - 4.1. **Minutes of Meeting of May 21, 2018:**

MOTION: A motion was made by Mr. Pellegrino, seconded by Mr. Morris and unanimously approved to accept the May 21, 2018 minutes as written.

5. **Discussion:**

- 5.1. **Dublin Town Center Preliminary / Final Plan Submission** – Rob Loughery stated that back in Sept 2016, they started to share the sketch plan with the Borough to make sure it would meet the Borough’s Revitalization and Vision Plan. Mr. Loughery added that he has been working with the Borough and its professionals for the past 2 ½ years to prepare for the submission before the planning commission today.

Mr. Loughery presented their preliminary / final plans for the Dublin Town Center (DTC) project, which includes a 15,000 square foot medical building, 15,000 square foot mixed use building, adaptive re-use of three existing buildings, and the construction of 80 townhomes. The 15,000-sf medical building will be owned by Grandview Hospital (GVH). The 15,000-sf mixed use building will consist of businesses on the first floor and a total of 26 apartments on the second and third floors. This will also be the building where the post office will be relocated to. The old gas station on Main Street will be renovated and this building will have the Neshaminy Creek Brewery, a coffee shop, and four different food vendors. This building will be called Station 23. The diner is intended to be kept a diner and, in the future, there might be another business in the building, however, Mr. Loughery stated he plans to maintain it as a diner and continue to run and operate it. The Dublin Technologies Building (TEC) will be renamed The Square. Mr. Loughery stated that they will be renovating the building and rearranging the tenants to provide a health and wellness area, office area, and retail / market area. Most of the businesses are staying in the building, just relocating into new areas of the building.

Mr. Loughery stated the back part of the development will be the town home development with 80 townhomes built by Ryan homes; the elevations will be similar to the project Ryan Homes did over at the old Souderton High School site. They will have brick facades to match the brick with the buildings along main street. The townhomes will start in the low \$300,000. Mr. Loughery finished the presentation by stating that the project includes a network of roads, including the first leg of the comprehensive road coming off elephant road. added that the project includes the network of roads, including the 1st leg of the comp road coming off Elephant road. This is an overview of the project and he just wanted to start with the history of what they are doing.

Jeff Villani of Elephant Road expressed his concern with traffic and the Boroughs water supply. Mr. Villani stated that the current pressure isn't that great at his place and wanted to know if there have been pressure tests completed as part of this submission. Mr. Zarko stated that one of the comments in his review letter states that the applicant needs to provide pressure tests and flow tests to ensure adequate capacity. Mr. Zarko also stated that the Borough is conducting a borough wide traffic impact study to come up with a plan to accommodate future projects as well as current traffic issues. Once the study is complete the Borough will have an outline of what needs to be done. Mr. Loughery stated that he is doing the study with the Borough and he understands the traffic concerns as he also drives through it daily.

Chet Walker of Elephant Road stated that Elephant Road is the local drag strip and he has a concern with adding several units over the next couple years. Mr. Walker also added that Elephant Road is on a downhill slope and a lot of times their yard is unable to be cut because of the water runoff issues that currently exist. Mr. Walker is concerned about adding 7 units in the next couple years and asked where the 14 acres of water, that is paved over dirt is going. Elephant Road is on a downhill and a lot of times they can't cut the back yard. Mr. Walker asked where all the drainage will go. Greg Glitzer who is the civil engineer for this project, stated that part of the developer's obligation is to demonstrate compliance with the Borough and Department of Environmental Protection (DEP) regulations. They will need stormwater systems throughout the site; basins, underground and surface; and will be improving the swale along Elephant Road, that should help with the water runoff. Mr. Glitzer added that they are doing everything they can to address the stormwater issues. Mr. Zarko stated that the Borough is reviewing their stormwater plan to ensure that it meets all the requirements. As the project evolves, the stormwater management plan will have to evolve as well.

Jennifer Dyer of Elephant Road asked when the expected start of the project will be. Mr. Loughery stated that they have just starting the land development process and land development will not begin until approval is received by Borough Council, which could be this year or sometime next year, all depends on when all the requirements are met. Mr. Loughery added that the TEC building is currently occupied, and they will be submitting building permits for renovations soon. Mr. Kracht added that renovation for the existing buildings included in this project can move forward with the renovation process without land development approval if they are permitted use as existing today. Mr. Kracht added the plan for the townhomes and other new buildings must go through the process with public meetings and the public will know when the process has been completed. Ms. Dyer also stated that she is concerned about the construction noise, disturbance of the peace, displacement of wildlife and containment of all the dust that will be generated from this project.

Nora Allen of Manor Drive asked if the townhomes will be age restricted and if not, how will the school district handle the increase of students. Ms. Allen also stated that she believes adding the 80 townhomes will have an astronomical impact on traffic and school bus stops. Mr. Loughery answered stating that the townhomes will not be age restricted and added that currently the Pennridge School District enrollment numbers are down ,so additional students in the district shouldn't be a problem or trigger the need for a new school. Mr. Loughery added that with the units starting in the low \$300,000, approx. \$350,000 in annual taxes to the school district will be generated. Ms. Allen requested Mr. Loughery take the increased number of bus stops that will be required because of this project into consideration when looking at the traffic patterns. Ms. Allen added that Alley 1 doesn't seem wide enough to handle fire trucks. Mr. Zarko stated that the developer will need to provide truck turning diagrams with turning templates that specifically accommodate emergency vehicles.

Dick Bertolet of Deep Run Road asked if the proposed plan is in compliance with all of the Borough's policies and restrictions. Mr. Miller stated that the plan is not in compliance and that is why it gets reviewed by the Borough's professionals. The applicant will need to revise their plan to meet the requirements of the Borough. Mr. Bertolet also asked what the parking situation with the townhouse project would be. Mr. Glitzer reported there will be a mix of two styles of townhomes with some having a garage in the front and driveway in the front and the others having rear access with a two-car garage. There will also be onsite parking and the comprehensive road is designed to have parking on both sides of the road. Mr. Zarko added that there is currently an imbalance and additional overflow parking will need to be provided. Mr. Bertolet stated that he doesn't see how on street parking along Elephant Road would work considering that traffic runs up and down Elephant and it seems illogical for safety reasons. Mr. Glitzer stated that they want to turn Elephant Road into a road that can handle the traffic and safety for on street parking. They will transform the street scape into something that provides a safer road for everyone. Mr. Bertolet's last comment was that he has a concern with the massive oak tree that has existed for several hundred years coming down and asked Mr. Loughery to give serious thought to keeping the tree that has been in the Borough forever.

Margert Miller of Elephant Road stated that currently she has trouble existing her driveway in the morning because of the traffic and added that it will only be made worse by adding 80 townhomes. She can't get out of driveway in the mornings because there is too much traffic. Ms. Miller also added that someone came out to check sump pumps to make sure that they were not pumping into the system and asked if they are getting a new system. Mr. Zarko stated that the borough, for several years, had problems when there was significant rainfall and there were issues with the pipes and rain water getting into the system. The Borough has diligently worked for 2 decades to make improvements to the system to provide additional capacity. DEP agrees there is enough capacity to handle this development plus additional projects in the future. The Borough still has to meet the consent order requirements to ensure that there are not any additional problems. DEP wouldn't allow new connections if they would create a problem.

Tom Richards of Elephant Road expressed his concern that there is one chance to do this development to ensure this is the vision that the town has and stated that there is no open space included in this project. Mr. Loughery stated that this is not an open space plan, it is an infill plan to allow for the density for the zoning that it allows. Mr. Richards stated that the tree came up before with discussion to realign the road to connect at Deep Run and it seems like no matter what they do as a town, the tree is being looked to be taken away. Mr. Loughery stated that his isn't sure there is another way to do it, you can't develop any of the stretch, because of the root system of the tree. The Borough's Planner, Judy Stern Goldstein, stated that the open space is a dense plan, but there are little pocket parks and urban open space areas. Something that needs to be decided on, is what those areas will include. They need to be a civic space for the residents.

Mr. Hausman of Parkside Drive asked if the Borough is funding the project and Mr. Kracht stated the borough isn't funding this project. Mr. Hausman asked if they will be widening Main Street (313) and Mr. Zarko reported that 313 is a PADOT road and PADOT will have a say in that. Mr. Zarko added that we are still at the beginning of that process and have not met with PADOT to discuss this plan yet. Mr. Hausman added that he is concerned with the shopping center staying the way it is currently and is concerned with the speeding problems and current traffic issues.

Kathy Smale of Stallion Court asked if the developer owns all the property included in the project. Mr. Loughery stated that he has acquired all except three parcels that are under agreement of sale and the parcel where GVH will build, as GVH will maintain ownership of their property. Ms. Smale added that this appears to be a done deal and the Borough is just going to let the developer make all the changes. Mr. Loughery added that the zoning is already in place and they have designed their project to meet the zoning that has been implemented by the Borough. Mr. Loughery added that there are items that they are not in compliance with, and they will need to make the appropriate revisions to meet compliance. A resident also asked if the Borough will take properties by eminent domain on 313. Mr. Kracht stated that the plan doesn't ask for any of those properties to be taken by eminent domain.

Kevin Nugent, Chief of the Dublin Volunteer Fire Company, stated that they will work with the developers about the concerns with accessibility and fire hydrant locations. Additionally, Mr. Nugent requested that the Borough consider the financial burden this project will put on the emergency services. The average call costs \$795. Mr. Nugent stated that other municipalities put costs into a building permit. The Fire Company has a ladder truck that will need to be replaced in the near future that will cost \$1 million dollars. Mr. Nugent stated that he hopes the Planning Commission and Council will take this into consideration.

Sara Leibel of Twin Oaks Drive asked what the Borough envisions the future of the town will be, will it be like New Hope or Quakertown. What is the end goal for the Borough? Mrs. Stern Goldstein stated that Dublin is not and does not want to be any other town. Dublin has a unique feel, but Dublin has been tired and isn't as vibrant as it was 20 years ago. Dublin has great bones and great people, but 313 has hurt the Borough. Mrs. Goldstein added what the borough has been doing and what this project is attempting to do is put some of the fabric of getting place to place back in the Borough. Making it walkable again by promoting walkability throughout the Borough. There is turnover and natural flow to communities, and we want to create new ideas and allow for the next fad. Mr. Miller added that change will take place no matter what, as people have the right to sell their property and do what is allowed on their property. The Borough has a comprehensive plan, a vision plan and a zoning ordinance that says what the town allows and where it is allowed, so that someone doesn't place a concrete factory in the center of town.

Erica Latoche of Elephant Road asked how residents will get their mail if the post office is shut down. Mr. Loughery explained that the post office will remain open, during the whole thing. Ms. Latoche added that 116 Elephant Road currently has a bat colony in it and recommended that Mr. Loughery look into that.

Herbert Engman of Olde Pilgrim Road asked how many letters of review are being completed by the residents. Mr. Kracht stated that every meeting is advertised, and everyone is welcome to attend the meetings and continue to be part of the process.

Mark Muller of Meadow Lane asked about Tax Ramifications on the residents. Mr. Pellegrino stated that this project will add to the tax base and long term it will minimize needed tax increases for borough services and it will also add tax revenue for the school district. From a tax standpoint there is a benefit for a development project that is done correctly. Mr. Muller asked why there was a need for a tax increase this year if the project is going to help the tax base. Ms. Benner explained that the Borough just completed a \$4.5 million dollar borrowing for multiple sewer, water and road projects. Ms. Benner stated that the increase is to over the debt service that has been created by this borrowing. Ms. Benner also stated that regardless of the Dublin Town Center project that these infrastructure projects need to be done, that the DTC project its not what is causing the need for these projects.

Joe Kramme of Elephant Road asked if there will be traffic lights at the new access roads. Mr. Loughery stated that is what the traffic impact study will look at and that is also what PADOT will be looking at. They would assume an additional traffic light wouldn't be a benefit, but will wait and see what PADOT and the Traffic Study will indicate is needed.

Mr. Pellegrino stated that the Planning Commission has received reviews from the Borough's Civil Engineer and Planner as well as a list of requests for waivers from the developers Engineer. Mr. Pellegrino stated that while there are 15 pages of comments, he didn't see anything that is a significant deviation from the ordinance requirements. Mr. Pellegrino also stated that the Borough started talking about their vision for the downtown back when he was on council 20 years ago. Stars have aligned and the DTC plan will create a vibrant and walkable downtown. Mr. Pellegrino added that we don't want to be the other towns, we want to be our own great little town and this plan will help us accomplish that. This project will increase everyone's property values, keep taxes to a minimum and allow residents the ability to eat and shop locally. Mr. Pellegrino stated that from 40 years' experience as a local manager, he has seen many developers come to town that want to fight and play hard ball with the municipalities, whereas Mr. Loughery has come in to Dublin with a plan, that for the most part, meets the criteria that the Borough has laid out for its vision plan. When the Borough was creating the vision

plan there were multiple public meetings so that feedback was obtained from residents and incorporated into the vision plan. The residents and businesses of the Borough decided what we wanted the town to be. We put ourselves in a position to create that vision that we told everyone we wanted to be and now have a plan that provides that. Mr. Pellegrino stated that he supports this plan and hopes the other members will do the same. Mr. Pellegrino stated that all questions asked tonight were all good questions and added that the Borough hired a traffic engineer to conduct a Borough wide traffic study that will look at the intersections and the impact this development and future developments will have on the Borough streets. Mr. Pellegrino reminded residents that there is already traffic coming from multiple sites that are included in this project.

Mrs. Stern Goldstein added that the Planner review letter is 5 pages long and reviews zoning, landscape and buffering, and general planning concepts and issues. The pocket park areas that are required as part of this plan still need to be figured out and want to ensure that we know, as a borough, what will be in the pocket parks so that there are no unrealized expectations. We want to make sure everything that is going to happen will happen. Mrs. Stern Goldstein thanked everyone for their input.

Mr. Zarko stated that his review letter points out inconsistencies with the zoning, SALDO, water and sewer issues, and stormwater issues. Everything can be resolved and worked out with the applicant. Significant items that need to be addressed include PADOT approval, DEP approval, documentation of adequate water supply, and stormwater management compliance.

Ms. Benner encourages questions from the residents and stated that information will be placed on the website. Ms. Benner added that they are working on the Traffic Study and have set up a meeting with PADOT to start discussions on the traffic improvements that will be needed. Mr. Loughery added that they will have a website available as well and is usually at the TEC building if anyone wants to stop and discuss the project.

Mr. Kracht asked the Planning Commission how they wanted to proceed. Mr. Pellegrino stated that the next step would be for the Planning Commission to move the plan onto Borough Council as the comments are relatively minor and the applicant isn't aware of anything that is problematic.

Mr. Smith wanted to make sure that the public understood that the Planning Commission would be voting to recommend the plan to Borough Council for review. If the Planning Commission votes to move the land development project onto Council, that doesn't mean they are going to ignore what our professionals are requiring. Additionally, the developer has stated that they will address all the items in the review letters. Mr. Smith added that he is also on Council and if it moved onto Council they will also be reviewing all the items on the review letters ensuring that they are addressed. Mr. Smith also stated that everyone has seen development happen right outside of the borough that has affected the Borough and its residents, but the Borough has had no control over those projects, whereas with this project the Borough has control over it and wants to ensure everything is being done correctly. Council is aware that traffic is a challenge and as part of this project the Borough has the opportunity to put in plans to address the traffic.

Mr. Zarko stated that conceptually this plan absolutely fits the vision set forth what the borough wants, but he has issued a review letter with 16 pages of technical issues that need to be addressed that the developer just received last Friday. Mr. Zarko stated that the planning commission should defer their recommendation and allow staff to meet with the applicant and then come back to planning commission when everyone is comfortable with moving forward. Mr. Zarko added that for a project this size it is not unusual for a project to come back before the Planning Commission. Mr. Zarko also stated that he is just recommending one additional meeting with the Planning Commission. Mr. Kracht added that the zoning issues need to be addressed and until the applicant knows what they are doing with regard to the zoning issues, they don't know if they need to plan to design around some of the issues or if they will need to request zoning changes. Mr. Kracht added, that process is left up to the developer to request a change in zoning or work around the issues.

Mr. Smith stated that the developer is complying with the zoning, however there are three parcels located outside of the TC-2 district and the developer is looking for a change in zoning to allow these properties to be zoned TC-2. Mr. Smith added this would mean the Borough is pushing the boundary of the TC-2 district on either side to accommodate the homeowners who wanted their properties included in this project.

Arbani Malik of Parkside drive asked if the planning commission or the developer would oppose a third-party review, because of the concerns with traffic and water. If so, they should send the plan to the Corps of Engineers for review. Mr. Malik added that the residents will have a water issue just like they currently are living with from the park construction.

Mr. Miller stated the professional staff will work with the developer and the developer will have to request any zoning changes if requested. Mr. Smith stated the planning commission should meet again on April 1st. No Action or Recommendation was taken by the planning commission on this agenda item.

5.2. Zoning Amendments: Mr. Kracht presented the zoning amendments that the Borough's Zoning Officer, Angela P. Benner, is recommending.

Mr. Kracht stated that the first amendment proposed is to re-zone parcels to the TC-2 District. Those parcels are TMP #10-004-075 which is currently zoned TC-1, TMPs #10-002-011 & 10-002-012 that are currently zoned R-2. Mr. Kracht added that this re-zoning is needed for the proposed development plan to be compliant with the Borough's zoning. Mr. Smith stated that the owners of these parcels are the property owners who have a desire to sell their property to be included in the Dublin Town Center project.

MOTION : A motion was made by Mr. Smith, seconded by Mr. Pellegrino and unanimously carried to recommend Council Re-Zone parcel numbers 10-004-075, 10-002-011 and 10-002-012 to TC-2 district.

Mr. Kracht stated that the second amendment proposed would be to change the mixed-use definition to not require a residential component. Mr. Kracht added that the definition does not currently match the use requirements and they need to be consistent. Mr. Smith added that the intention is to allow for residential within a mixed use but not require it.

MOTION: A motion was made by Mr. Pellegrino, seconded by Mr. Smith and unanimously carried to recommend Council amend the mixed-use definition in the zoning ordinance to delete the requirement to have a residential component.

Mr. Kracht stated that there has been some confusion around building height requirement in the zoning ordinance. Mr. Pellegrino stated that the reason behind requiring two stories is to have the façade appear to be two stories, even if the building only has one floor. Mrs. Stern Goldstein added that this would be a zoning interpretation and doesn't need to be amended.

Mr. Kracht stated that the third amendment proposed would revise the B12 Townhouse Use Regulation to reflect a minimum lot width of 20 feet to be consistent with the lot width stated in the Table of Area and Dimensional Requirements for the TC-2 district.

MOTION: A motion was made by Mr. Smith, seconded by Mr. Pellegrino and unanimously carried to recommend Council amend the B12 Townhouse Use Regulation to require a minimum lot width of 20 feet to be consistent with the Table of Area and Dimensional Requirements for the TC-2 district.

Mr. Kracht stated that the fourth zoning amendment proposed would revise zoning section 27-505.D(D1)(1) to require compliance with the current ADA standards. Mr. Kracht added that currently the ordinance list standards that are out of date.

MOTION: A motion was made by Mr. Smith, seconded by Mr. Morris and unanimously carried to recommend Council amend zoning section 27-505.D(D1)(1) to require compliance with the current ADA standards.

Mr. Kracht stated that the fifth zoning amendment proposed would allow for the C20 Athletic Facility use to be permitted within the D4 Mixed Use.

MOTION: A motion was made by Mr. Smith, seconded by Mr. Morris and unanimously carried to recommend Council amended Zoning Use Regulations to permit the C20 Athletic Facility use to be part of the D4 Mixed Use.

Mr. Kracht stated that the sixth zoning amendment proposed would eliminate the requirement for effective apertures on fences higher than 5 feet. Mrs. Stern Goldstein stated that this is an antiquated requirement and it is not resident friendly.

MOTION: A motion was made by Mr. Pellegrino, seconded by Mr. Morris and unanimously carried to recommend Council amend Zoning Section 27-505.F(F2)(2)(c) to eliminate the requirement for effective apertures on fences higher than five feet.

Mr. Kracht stated that they were all the recommendations being made by the zoning officer. Mr. Glitzer asked for clarification on item 2C on the Boucher and James review letter since spacing requirements for B12 Townhouse Use is not consistent between the use regulations and the Table of Area and Dimensional Requirements for the TC-2 district. Mrs. Stern Goldstein stated that they will take a look at this and can discuss at greater length after the Borough has time to review this inconsistency.

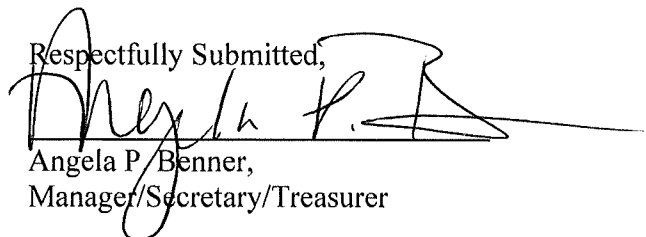
Mr. Smith reiterated that all the motions made were to recommend changes to council and that the motions made do not mean that anything has been approved or changed within the Borough's Zoning Ordinance.

6. Other Business: There was no other business at this time.

6. Public Comment: There were no public comments at this time.

7. Adjournment: Upon motion by Mr. Smith, seconded by Mr. Pellegrino, the meeting adjourned at 10:05 p.m.

Date Approved: 5/16/19

Respectfully Submitted,

Angela P. Benner,
Manager/Secretary/Treasurer