

**MIDDLETOWN TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
MIDDLETOWN MUNICIPAL BUILDING
WEDNESDAY, November 2, 2016**

PRESENT:

Sandy Farry
Charles Parkerson
Fred Thomas
Robert Burnet
Nancy McCann
Mike Costigan
Pat Duffy, Zoning Officer
Larry Young, Township Engineer
Heath Dumack, Conflict Engineer

ABSENT

George Hyjurick

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE AND ROLL CALL.

- a. Ms. Farry called the meeting to order at 7:01 PM. The Pledge of Allegiance was recited. Ms. Farry took roll call with six members present (listed above). Mr. Duffy, Mr. Young and Mr. Dumack were also present.

2. APPROVAL OF PRIOR MINUTES

- a. Mr. Thomas made a motion to approve the minutes from the September 6, 2016 meeting. Ms. McCann seconded. The minutes were approved 3-0 (Mr. Burnett and Mr. Costigan abstained and Mr. Parkerson arrived after vote).

3. DISCUSSION OF THE PRELIMINARY LAND DEVELOPMENT PLAN FOR EASTERN WAREHOUSE DISTRIBUTORS, INC., 1050 WHEELER WAY, LANGHORNE, PA 19047, TMP 22-021-066-002, M-1 LIGHT MANUFACTURING ZONING DISTRICT, S/LD #16-6

Tom Hecker, Esquire and Larry Byrne, P.E. represented the developer and presented the project as a proposed 27,190 square foot addition to the existing warehouse on the 9.2 acre site. The applicant was previously granted two variances to allow greater than 30% building coverage and a front yard setback less than 50 feet.

Heath Dumack, P.E. went over his review letter. All the stormwater management issues have been resolved and the applicant is seeking four waivers. The waivers are as follows:

- a. Section 440 - 303.D(3)(d) – to not require that all existing highways, streets and roads on or adjacent to any part of the tract, including name, right-of-way width (existing and future) and cartway width to be shown that are required to be on the plan. An aerial photograph must be submitted showing these features within two hundred feet (200') of the tract. If requested, the Township Engineer may require

these features to be shown on the plan within two hundred (200') of the tract in addition to the aerial photograph

- b. Section 440 - 303.D(3)(e) – to not require that all existing buildings and utilities are required to be shown that are required to be on the plan. An aerial photograph must be submitted showing these features within two hundred feet (200') of the tract. If requested, the Township Engineer may require these features to be shown on the plan within two hundred (200') of the tract in addition to the aerial photograph
- c. Section 440 - 303.A & 440-304.A – to allow concurrent preliminary and final plan approvals
- d. Section 440 - 419 & 440 - 509.A – to not require sidewalks to be constructed along street frontages

The applicant agreed to comply with all of the township engineer's review comments and provide a trip generation report so the township traffic engineer can calculate the traffic impact fee. The lighting consultant and county planning commission review letters had no issues.

Mr. Thomas made a motion to recommend preliminary plan approval and the granting of the waivers based on the applicant satisfying the review comments of the Township engineer, traffic engineer, fire marshal and paying a fee in lieu of for not providing sidewalks. Mr. Burnett seconded and the motion was approved 5-0 with Mr. Parkerson abstaining due to missing the first part of the discussion.

Mr. Burnett made a motion to recommend final plan approval with the same conditions of the preliminary plan approval. Ms. McCann seconded and the motion was approved 5-0 with Mr. Parkerson abstaining.

4. DISCUSSION OF THE PRELIMINARY LAND DEVELOPMENT PLAN FOR MCCAFFERTY KIA, 1939 EAST LINCOLN HIGHWAY, LANGHORNE, PA 19047, TMP 22-048-012 & 22-047-198-005, C COMMERCIAL ZONING DISTRICT, S/LD #16-9

Allan Toadvine, Esquire, Mark Havers, P.E., Jim Hecker, architect and Chris Scott managing partner of McCafferty Kia represented the project. The proposed addition is a 9,300 square foot new automobile showroom on the 5.3 acre site. The project involves the demolition of a small building and the reconfiguration of the parking layout and circulation.

Larry Young, P.E. went over his review letter and stated the applicant is requesting eleven waivers due to the existing conditions of the site which is made up of three tax parcels and numerous nonconforming dimensional issues. The waiver requests are as follows:

- e. Section 440 - 301.E – to allow the concurrent presentation of a preliminary plan

and final plan

- f. Section 440 - 303.D(1)(a) – to not require that all sheets comprising a submission shall be on one size and sheets should be large enough to clearly show all required features but at a scale not less than one inch (1”) equals one hundred feet (100’)
- g. Section 440 - 303.D(3)(d) – to not require that all existing highways, streets and roads on or adjacent to any part of the tract, including name, right-of-way width (existing and future) and cartway width, are required to be shown on the plan. An aerial photograph must be submitted showing these features within two hundred feet (200’) of the tract. If requested, the Township Engineer may require these features to be shown on the plan within two hundred (200’) of the tract in addition to the aerial photograph
- h. Section 440 – 417 - to not require street trees to be planted along all existing streets at the specified intervals (large trees at 40 foot on center small trees at 25 feet on center)
- i. Section 440 - 419 & 440 - 509.A – to not require sidewalks to be constructed along street frontages
- j. Section 440 - 421.E.1 – to not require a maximum of 12 spaces on one row of off-street parking and raised planting beds at intervals not to exceed 12 spaces with beds offset on alternating sides of parking rows and planting islands to be located at each end of a parking row
- k. Section 440 - 421.E.2 – to not require raised planting beds to be planted with one shade tree (from the approved street tree list) per bed
- l. Section 440 - 421.E.4 – to not require the edge of any parking area to be closer than 15 feet to the outside wall of the nearest building
- m. Section 440 – 421.E.9 & 440 – 421.E.19 – to not requires all parking areas to be set back from the future right-of-way line and all property lines at least 15 feet or as required by the Middletown Township Zoning Ordinance (Chapter 500) (the greater provisions shall prevail)
- n. Section 440 – 421.G – to not require parking lots with less than 20 spaces to not have a grade exceeding 5% and parking lots with 20 or more spaces to not have a grade exceeding 3% and any grade, cut, fill or height exceeding four feet shall be subject to approval of the Board of Supervisors.
- o. Section 440 – 421.H – to not require all parking areas to have at least one tree of 1 1/2 inch caliper minimum for every six parking spaces in single rows and one tree of 1 1/2 inch caliper minimum for every 12 parking spaces in double-loaded rows of parking spaces

Mr. Young stated the two biggest issues are the lot consolidation and the vehicular circulation needs clarification.

Mr. Duffy stated that the applicant needs to provide a trip generation report so a traffic impact fee can be calculated per the township traffic engineer's review letter. Also, the applicant will have to satisfy any lighting review comments from the township lighting consultant. The county planning commission review letter raised the circulation issue.

Ms. Farry asked where the bus stop was in relation to the driveway on Rt. 1. The applicant responded it is at the signalized intersection at the Sam's Club. Ms. Farry asked if the monitoring wells shown on the plan could be removed from the site. The applicant will contact DEP and inquire about the removal process.

Mr. Burnett questioned the fire and emergency vehicle access for the site and the location of fire hydrants. Mr. Duffy stated that the fire marshal will do a complete review during the building permit process and the applicant would need to satisfy all fire marshal comments before a building permit would be issued.

The members were pleased that stormwater management in the form of an area of porous paving being provided even though there will be a net decrease in impervious surface area of 3,521 SF. The members wanted to see some trees added to the site and the applicant said that about 5 trees could be planted behind the proposed building.

Mr. Parkerson stated that he wanted the plans revised to clarify the circulation pattern and submit for another review and appearance before the PC before recommending final plan approval.

Mr. Burnett made a motion to recommend preliminary plan approval and the granting of the waivers based on the applicant satisfying the review comments of the Township engineer, traffic engineer, lighting consultant, fire marshal and paying a fee in lieu of for not providing sidewalks. Mr. Thomas seconded and the motion was approved 6-0.

5. DISCUSSION OF PROPOSED ZONING AMENDMENT TO ADD MONUMENT DISPLAYS AND MODIFY OFF PREMISES SIGN REGULATIONS AND A PROPOSED ZONING MAP CHANGE OF TMP #22-015-006-002 FROM OR OPEN RECREATION DISTRICT TO M-1 LIGHT MANUFACTURING DISTRICT

Greg Adelman, Esquire and Thaddeus Bartkowski owner of Catalyst Outdoor presented a slide show illustrating their monument display / digital billboard sign designs and installations. The displays, signs and landscaping are installed and maintained at Catalyst Outdoor's expense. Catalyst Outdoor generates income from advertisers. The Township gets free advertising for community events, etc.

Mr. Adelman presented the proposed zoning change that will amend the current sign regulations to add monument displays to be permitted in the C Commercial zoning districts

along the Route 1 corridor and to modify the off-premises sign regulations of the M-1 Light Manufacturing zoning district. Catalyst Outdoor (Middletown Outdoor, LLC) is requesting that the Township enact the proposed zoning amendment.

In addition, Mr. Adelman and Mr. Bartkowski discussed tax parcel #22-015-006-002 located at 2100 Old Lincoln Highway that is owned by the Bucks Count Water and Sewer Authority that is presently zoned OR Open Recreation. Catalyst Outdoor (Middletown Outdoor, LLC) is requesting that the Township rezone the parcel to M-1 Light Manufacturing zoning district since it presents an excellent opportunity for a digital billboard along the Route 1 Superhighway corridor. There is an M-1 zoning district directly across Route 1 from the subject parcel and the nearby Aqua water treatment plant property is zoned M-1.

Mr. Thomas made a motion to recommend enacting the proposed zoning amendment to add monument displays to be permitted in the C Commercial zoning districts and to modify the off-premises sign regulations of the M-1 Light Manufacturing zoning district. Ms. McCann seconded and the motion was approved 6-0.

Mr. Parkerson made a motion to recommend rezoning tax parcel #22-015-006-002 from OR Open Recreation to M-1 Light Manufacturing. Mr. Thomas seconded and the motion was approved 6-0.

6. ZONING ISSUES

Mr. Duffy stated that the Pyramid Healthcare appeal has been remanded back to our zoning hearing board for next Wednesday, November 9.

7. OTHER BUSINESS

Stone Farm is projected for the December 7 planning commission meeting. Ms. Farry initiated a discussion about treatment for diseased Ash Trees. Treatment is only successful when a large part of the tree is still healthy. The township has removed the ash tree from the acceptable tree planting list. Ms. Farry also asked about the Orchards tract on Woodbourne Road and Mr. Duffy stated that an engineering firm recently called to ask some general questions. Nothing has been submitted for review.

8. ADJOURNMENT

Mr. Burnett made a motion to adjourn the meeting, seconded by Mr. Thomas. The vote was taken and the motion to adjourn was unanimously approved. The time of the adjournment was 9:08 P.M.

Respectfully submitted,
Pat Duffy, Director of Building & Zoning

cc: Planning Commission
Township Manager