

**MIDDLETOWN TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
MIDDLETOWN MUNICIPAL BUILDING
WEDNESDAY, February 6, 2019**

PRESENT:

Rich Nuttall
Charles Parkerson
Holly Cunningham
Nancy McCann
John Medaglia
Joseph Antonelli
Thomas Piacentino
Pat Duffy, Zoning Officer
Jim Esposito, Township Solicitor
Larry Young, prior Township Engineer
Phil Wursta, Township Traffic Engineer
Isaac Kessler, Township Engineer

ABSENT

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

- a. Mr. Nuttall called the meeting to order at 7:05 PM. The Pledge of Allegiance was recited. Ms. Cunningham took roll call with all seven members present. Misters Duffy, Esposito, Young, Wursta and Kessler were also present.

2. APPROVAL OF PRIOR MINUTES

- a. Ms. McCann made a motion to approve the minutes of the January 16, 2019 meeting. Mr. Piacentino seconded and the motion passed 7-0.

3. DISCUSSION OF THE STONE FARM PRELIMINARY SUBDIVISION AND LAND DEVELOPMENT PLAN, FULLING MILL ROAD, LANGHORNE, PA 19047, TMP# 22-005-007, S/LD 15-8

In attendance for the developer, the Metropolitan Development Group, were Robert Gundlach, Esq. of Fox Rothschild LLP, Eric Clase, P.E. of Gilmore Associates, Greg Bogia of Bogia Engineering, Joseph Morrissey, Giovanna Raffaelli, Esq. and Mike Tulio of Metropolitan Development Group.

Mr. Gundlach gave a brief overview of the history of the project dating back to the 2015 efforts towards rezoning for a cluster plan to the change in September of 2016 to pursue the 123 lot by-right plan for the benefit of the three new planning commission members. Mr. Gundlach stated there were two items on the Tri-State Engineers (TSE) review and four items on the Traffic, Planning & Design (TPD) review that needed further discussion. All other items in the review letters were “will comply” to be fully addressed by the applicant.

The first item on the TSE letter (review comments #1 and #4) dealing with the zoning variance requirement for the widening of Tollgate Road in the floodplain. The applicant is

seeking a partial waiver from the Subdivision & Land Development Ordinance to not widen Tollgate Road in the area of the floodplain. It is approximately 250 LF of road and the applicant is willing to contribute a fee in lieu of the widening. Mr. Parkerson asked if this would cause any cartway width transitions and Mr. Bogia explained that the Tollgate widening is essentially shoulder enhancement and the travel lanes would remain the same. Mr. Piacentino asked about the sidewalk and Mr. Gundlach stated that the waiver includes not building the sidewalk in the floodplain and a fee in lieu of would apply to the sidewalk also. Mr. Piacentino said that public safety issues should dictate whether the waiver is granted or not. Mr. Young stated that the existing drainage problems on Tollgate Road need to be addressed and the applicant could file an application for a zoning variance to accomplish the road widening requirements.

The second item on the TSE letter (review comment #34) pertains to the applicant's willingness to plant landscaping buffers to screen headlights from existing residential homes on Fulling Mill Road. Mister Gundlach said Mr. Morrissey has reached out to the three affected residents on Fulling Mill Road regarding the possible screen plantings from traffic lights and the applicant has not received any response. The applicant agreed to provide the landscaping screens should the affected residents request the buffers.

Before the applicant moved on to the TPD letter, Mr. Young raised the issue of the Summit Trace open space and proposed connector road. Mr. Gundlach explained that the proposed connector road was at the recommendation of PennDOT and TPD and the open space details will be finalized during final plan.

Ms. McCann asked about what traffic value does the second Rt. 413 connection without the light give to the development. Mr. Gundlach noted that the ordinance requires two connections and PennDOT recommended the second connection. Mr. Bogia said that the peak traffic trips from the development in and out of Rt. 413 are 39 in AM and 26 in PM. Mr. Gundlach further stated that residents in the development would have the option to bypass Rt. 413 by driving into Summit Trace and getting to the Summit Trace shopping center without driving onto Rt. 413.

The first of four items on the TPD letter (comment #3) is the requirement for the road width. Mr. Bogia interprets Table 1 category 3 in the ordinance as the proposed development requiring 26' to 28' road widths. Mr. Wursta disagrees with the applicant's interpretation and stated that Table 1 calls for 36' wide roads per category 5 that applies to the proposed development. The 26' to 28' lot widths will prohibit parking on both sides of the loop roads, Roads B & C. Mr. Parkerson stated that he wants parking on both sides of the street or the development is a non-starter for him. Mr. Gundlach stated that there is ambiguity in Table 1 and the BOS would have the ability to allow 28' lot widths anyway. Mr. Wursta stated that he sees no ambiguity in Table 1.

The second item on the TPD letter (comments #16 & #27) require connecting the proposed traffic signal to the adaptive traffic signal system along Rt. 413 and the Newtown Bypass. The applicant will defer to PennDOT requirements.

The third item on the TPD letter (comment #32) is about sidewalk and crossings for the George School. Mr. Gundlach stated George School has not granted the required right of way to install the improvements.

The fourth item on the TPD letter (comment #55) requires flashing warning lights for the Tollgate Road crosswalk. Mr. Wursta explained that these lights are blinking signs at the crosswalk activated by a push button. They are not the overhead signs and lights. The applicant was not opposed to such lights and would review it on their end.

Ms. McCann asked about the proposed county trail system and sidewalks connecting Fulling Mill Road and Tollgate Road. Mr. Gundlach said the county does not yet have final plans and the applicant will defer the final offsite road sidewalk design to coordinate with the county trail during final plan. Mr. Clase stated that the county trail on the south side of Tollgate Road would compensate for no sidewalk in the floodplain on the north side of Tollgate Road. Mr. Young said that there is no detailed info available now on the proposed county trail and that there is also floodplain on the south side of Tollgate Road.

Mr. Clase responded to Mr. Parkerson that the emergency access is designed for vehicles and Mr. Bogia told Mr. Parkerson that the existing 10' wide travel lanes will be maintained on Tollgate Road.

Ms. McCann confirmed with the applicant that the Summit Road connector is required in order to generate enough traffic to warrant the traffic light at Road A and Rt. 413 and that Road A tapers from 40' wide at Rt. 413 to 32' wide at Summit Trace.

Mr. Gundlach summarized that the applicant needs to address 2 items on the TSE letter and three items on the TPD letter. Mr. Young stated that a waiver is required for sidewalks and road widening in the floodplain area. My. Kessler noted that the applicant may need a waiver from the traffic Table 1 regarding roadway widths.

The following people spoke:

Zac Silvertsen, esq., attorney for Save Stone Meadows Farm group
Project is not feasible as too many unresolved issues remain on plans.
Connector road is proposed in order to qualify for traffic light.
Applicant has not demonstrated that they have the legal right to build the connector road in Summit Trace open space and all Summit Trace owners need to sign off on donating open space for a road construction.

Jeff Miller, 1567 Fulling Mill Road
Township ordinances must be followed. No waivers should be granted.

Karla Jones, 225 Oakridge Drive, Summit Trace
Proposed connector road will destroy the scenic view of the entrance to Summit Trace and negatively affect the open space.

The connector road will cause a Langhorne Bypass with cut through traffic through Summit Trace that doesn't exist now.

Mr. Young answered Ms. Jones that there were about 50 will comply items on his review letter that have to be addressed.

Deborah Cornter, 299 Woods Edge Place, Summit Trace
Traffic on Rt. 413 is bad all day long and will worsen with this development.
SMMC has future expansion plans along Rt. 413 that has to be taken into account.

Lisa Reiser, 411 Country Lane
Huge tax increase implications from the proposed development.
More demand for police, fire, schools, roads, etc. that will cause large tax deficit over the years.
Preserving the farm is actually a cost savings measure to the township residents.

Nick Rose, P.E., Protract Engineering
Mr. Rose is a consultant for the Save Stone Meadows Farm group
The project still has major layout issues and the applicant cannot simply state "will comply" but must indicate how they will comply.

Joe Fiocco, P.E. is a traffic engineer consultant for the Save Stone Meadows Farm group
The area already has higher crash rates than normal and intersections are already above capacity.
No connector road means no traffic light means no PennDOT approval for the project.

Mary Sly, 197 Iron Rock Ct., Summit Trace
Summit Trace is a peaceful community and asked the developer "how much for you to go away?"

Judy Conturso, 256 Woodstream Ct., Summit Trace
Development will cause drainage and mold issues.
Present roadway congestion causes problems getting to SMMC.
No available sidewalk on Summit Trace Road will be a major safety issue with cut through traffic.

John & Donna Damiani, III, 11 James Court
There is a lot of difficulty and a safety issue now getting out of Sturbridge onto Rt. 413.
Higher school taxes will result with the development.

Ernie Neidel, 1346 Hill St.
Mr. Gundlach responded to Mr. Neidel's question that the construction timetable would be about 36 houses per year with 88 houses in Phase 1.

Angeline Doherty, 1539 Old Lincoln Highway
Open space, traffic, crime rate and emergency access to SMMC will all be adversely affected.

Eric Nordberg, 122 Granite Hill Ct., Summit Trace
 Open space issue with connector road is a large unresolved issue.
 Potable wells in area could be adversely affected by development.
 Too many issues for plan to move forward.

Carol & Larry Zetterberg, Langhorne Borough residents
 Developer has 54, not 4 to 5 issues to be addressed.
 Traffic and water supply problems need to be addressed.

The issue was raised by the planning commission that the developer enter into a water protection agreement with Newtown water supplier Newtown Artesian to protect the existing wells in the area. Mr. Gundlach explained that the developer is not proposing any wells, therefore the water protection agreement would be the responsibility of Newtown Artesian.

Nina Gorsky, 134 Windham Dr.
 Traffic congestion will only worsen with development.

Dana Kane, 1532 Franklin Road
 Peaceful vista will be gone forever with development.
 Traffic and potable well issues need to be addressed.

Peter Milovcich, 213 Adeline Pl.
 Pleaded with township to address today's traffic issues before proceeding with more development.

Sharon Dunn, 180 Raintree Ct., Summit Trace
 Ms. Dunn has endured drainage issues from years of development and stated the proposed development would cause major drainage issues.

Mr. Esposito stated that the developer has an open space agreement with the Summit Trace open space owner and it is unclear if case law would support building a road through the open space area. This would have to be addressed as a condition of any approval.

Mr. Parkerson made a motion to recommend a denial of the preliminary subdivision and land development plan based on 1) the applicant not providing parking on both sides of the street throughout the development, 2) the applicant needing a waiver to avoid a zoning variance for not widening Tollgate Road and providing sidewalk within the floodplain area and 3) the applicant not providing proof that the connector road can be built within the open space of the Summit trace development. Mr. Nuttall seconded and the motion was approved 7-0.

4. OTHER BUSINESS

The Lennar Orchards tract will be on the planning commission meeting on 2-20-19.

Mr. Medaglia made a made a motion for adjournment. Mr. Parkerson seconded. The motion passed 7-0. The time of the adjournment was 9:56 P.M.

Respectfully submitted,
Pat Duffy, Zoning Officer

cc: Planning Commission
Township Manager